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# WASHINGTON, D. C.

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For the National Era.

## HERMAN; OR, YOUNG KNIGHTHOOD.

BY E. FOXTON,
*Author of "Prémices."*

CHAPTER XVIII—Concluded.

An Anti-Slavery man may hardly travel with a retinue of negroes at the South, much more prudently than a Slavery man at the North. Herman feared that, through some indiscretion of his sable attendants, his peaceable and lawful business might get wind, and he himself be escorted from the State at the State's expense, as hath happened aforetime to a citizen of Massachusetts engaged in peaceable and lawful business, in the law-abiding, loyal, confederate realm of South Carolina. He lost no time, therefore, in shipping his charges under safe conduct, at Savannah, where Nance and old Jake, whom he had picked up on his way through North Carolina, were awaiting them, and went on, retaining only the latter, whose wife, as he had ascertained from Colonel Rochemaurice's papers, had been bought for a Mr. Nardwell, of Georgia.

For Georgia, then, and old Betsy, they started. Old Jake was not an ungrateful companion, but he was a very gloomy one. He really seemed as if Jeremiah had got into him.

"Pears like we'se fine her dead, mas'r; but I jus like to go an see whar dey put her all de same, an tank 'ou for dat, mas'r. She done got used to livin wid ole Jake. She too ole to larn new ways. She not know how to lib all alone. I'se, strong, an I reckoned 'twould kill me—did so! I'd like to see her 'terred decent anyhow, would so—maybe mas'r 'd say a prayer."

"Say a prayer—to be sure I will, Jake—that we may find her well and hearty. Come, pluck up a good heart, old fellow! Don't borrow trouble."

"Reckon not. Allers had trouble 'nough of my own, widout borrowin ou it—allers did hab, allers will hab. Fus ole maus an mistis, dey die—broke my heart a'most. Grand ole genman he was, wid his rufflous shirt; and she rode out wid her coach an four—not like dese yere mean common men; and dey was mighty fine an mighty high, but dey was mighty good to dere people. High! dose was de times! 'Hallo, Jake!' de mas'r 'd sing out, so loud an cheery, when he'd jump off his hunter, fore de door, an see me a-bowin to him, 'Brew me some punch, an don forget to taste of it, to see if it's good, you cailess ole fellow, an—Jake—arter dat, don you remember to gib me de same glass.' He'd allers hab his joke. An de mistis she'd come a sailin down de walk—when I was a gardenin in de garden—in her white mornin gown, jus like a white goose on de riber, an 'good mornin, good Jake,' she'd say, so nice an softly; 'you can gader me a boquet ob dose vi'lets, if you tink you can spare em, an den go in an wash your hands an ask de nu's to gib you Maus George, to fetch out here;' an de baby, bress his heart! when he'd see me he'd strike out wid his dannies an his toeloes, an chuckle an crow, an den ole nus 'ud wait for to put on his cap an feaders, an den he'd kick and squall, an den I'd take him out an his moder 'd kiss him an smile, an den walk on a little way an try to look at her flowers; and den she'd hab to come back to look at him, to see which was de purtiest. He war de purtiest ob all, an he growed up such a splendiferous young genman, tall, an straight, an likely. Nex to de ole mas'r, I lubbed him better nor anytin in de worl. An Miss Conny, den I used to 'ten her, an sot more on her dan I did on Nance; an she'd cry arter me; an I said, many a time, 'Reckon you'll allers be good to ole Jake.'

"Den de ole masr's hoss done tumbled wid him ober a fibarred gate, an broke his neck—so he die. Dat break ole mistis' heart, so she die fore long. Den Maus George, he send off Miss Constance, an go off an get heself shot! Peared like I done got shot mesef wen I h'ard on't. Wish't I had. Den we hab nobody to take car on us but de obersecr. Hard times, an bad times. De people all got cross an kind 'o crazed. Dey was starbed, an dey was whipped when dey didn' desarbe it, so dey turned wicked an 'sarbed it all de time, cause dey didn' know what else to do. Reckoned 'twould rain fire an brimstone on de ole place, sometimes; did so. Reckon 'twould, if dey hadn used it all up 'fore, on Sodom an Gomorrah. But I allers says to de ole woman, 'Betsy,' says I, 'Betsy, you jus hold on till Miss Constance, she's twenty-one, an den you'll see.' An ebery summer, I'd get a white man to tell me if 'twas de fus ob June yet, an den I'd make a notch on a stick I kep; an I waited an waited, but at last I got fourteen of em; an den I says, 'Now,' says I, 'we'll hab good news 'fore long, an a good purty mistis! An I had a silber dollar dat Maus George he gib me me not to cry when he rode away de last time; an I done spent it at de steamboat, for de bon-bons an sweet-tings she liked, to hab all ready for her when she comed; but de nex ting was Colonel Rochemaurice comed instead ob her, an we was all sole an gone 'fore we knowed it."

"Miss Constance had not the least idea of the trouble it would give you, Jake. When she got your letter, she was so sorry that I was afraid it would make her ill."

Jake looked conscience-stricken in his turn. "Didn' know no better. Was dar anyting wrong in it?"

"Oh, no, except the wrong that she had done you, without intending it. But, Jake, who taught you to write? Old Mrs. Aspenwall?"

"No, I wouldn' l'arn den, 'cause I couldn' spare de time. Dey war so 'dulgent de folks took advantage; tings 'ud get behinehand, an I had to be allers roun seein to 'em an doin dis here, an dat dere. Miss Clayry Grand, she larned me, de good little creatur. God in heaben bless her."

"What! your last master's daughter? Last year? Could you learn at your age?"

"Yes, de little fibe-year-ole gal, she larned me. Mighty proud she was on it, too. Hab to gib her a whole stewed pumpkin, not to tell her ma. Took good while, 'cause she's too young, an I'se too ole. Boun' to write to de young mistis long o' Betsy anyhow, was so!"

Jake did not know his age, of course; but he could not have been less than seventy years old. Was Cato's learning Greek at the same period of life a greater achievement?

"Could not you get some one to write for you?"

"All strangers, mas'r. Don neber do to trust strange white men. Dar war Sam, now. He work extra, an get leabe to hire hesef out, an pay six hunder dollar to de oberseer to gib de Colonel to buy hesef; an de oberseer take it all an go off when dey change him, an neber say a word about it; so when we'se sold, Sam sold too."

"What Sam was that?"

"Why, Miss Constance's Sam, mas'r knows."

"Oh, the very man I'm after. Colonel Rochemaurice told me he was sold to a trader. Do you know where he is?"

"No, mas'r. Spec he's a runnin away—swored he would."

"Do you know whether he had any other name besides Sam?"

"Yes, mas'r, Sam Taliaferro."

A surname, and an uncommon name. Good luck so far.

The cars stopped, and Herman asked the way to Mr. Nardwell's house; took a wagon, and drove thither with Jake. The gate hung on one hinge; the house wanted paint, and a general aspect of thriftlessness pervaded the premises. The house door was shut, for a wonder. Herman looked for a bell, but, not seeing any, knocked with the handle of his whip, once, twice, and thrice, at due intervals, without any answer; until at last a sharp female voice was heard to ejaculate within, "Can't I ever get a sleep in peace, as feeble as I am? You, Lize, how dar you set thar a sulkin? Are you deef? I'll give you a rousen cuff on the ear, that'll wake you, I reckon, if you don't learn to mind the door!"

A mutter was heard in reply; and the door was presently opened by an old negress, whose face struck Herman as the most sullen he had ever beheld. His next idea was, that she was trying to run away from her mistress; for with a cry, and a push that nearly threw him backwards down the steps, she rushed by him, and then there was such a hugging and kissing match, between her and old Jake, as Herman had never seen before in his life, but once, when Edward had gone off without leave to skate on the Back Bay, stayed out till dark, and came safe back, after Clara had sobbed on the sofa for an hour, supposing him to be drowned. Evidently, "Lize" was Betsy, and had spied Jake over Herman's shoulder; that was all. When she had done with him, she dropped on her knees before Herman, blessing and thanking him with torrents of tears, and of guttural and unintelligible eloquence. While he vainly endeavored to quiet her and old Jake, who joined her in full cry, and the noise brought her mistress to the window—a slatternly, sallow woman with a sour face and yellow ribbons—he heard a step on the path, and, turning round, saw a pale, lean man in a rusty coat, looking on with much astonishment. "Mr. Nardwell?" said Herman, lifting his hat.

"The same, sir. Will you walk in?"

Herman did so, through a dirty passage into a dirty parlor, and briefly inquired whether Betsy was for sale, saying that her former owner had a wish to buy her back again.

"Take a seat, sir. Do you reside at the South?"

"No; I have been here but a short time."

"I inferred as much by your accent. At the West?"

"No, sir; the North."

"Ah, I inferred so from your method of speaking. Did I understand you to say, sir, that this girl's former owner who wished to repurchase? One of the issue of the late G. G. Aspenwall, senior, I presume. I understood that his only only son was prematurely killed in the Mexican war?"

"You are right, sir; but he left a sister," said Herman, jumping up and bidding Jake, through the open window, to mind the horse and wagon. He did not sit down again, but stood hat in hand, as a gentle reminder to his catechist that time was passing.

"Be seated, pray, sir."

"Thank you, but I am somewhat in a hurry."

"Miss Aspenwall resides at the South, I presume."

"No, sir; she is at the North at present."

"Was this a favorite servant?"

"I do not know. Not that I am aware of."

"Ah! I would have supposed, hardly. Poor old Lizzy! We have not found her particularly well disposed. Did I understand you to say that Miss Aspenwall entertained the idea of emancipating all her slaves?"

"She would be glad to do so if it was in her power."

"Indeed! It is greatly to her credit. You, sir, are her man of business, I expect."

"Yes—in *this* business."

"*Oh! ah!*" I now comprehend fully the state of the case, and the motives which actuate you both, and honor you accordingly."

It was no great proof of penetration to see into the affair as far as Mr. Nardwell did. Poor boyish Herman's bloom at the moment might have illuminated a duller man.

"You are very kind; but I am really obliged to beg that we may proceed to business, as I have a long journey still before me. What should you think a fair offer for Betsey? You will not object to parting with her, I suppose, if she has not behaved herself well?"

"Far from it, sir, in such a cause as this. I consider that every good man and true had ought to be ready to give you his God-speed at any sacrifice of personal convenience. I would it was in my power to enfranchise her myself; but the most as well as the least that I can do, is to facilitate you in doing so. I experienced religion five years ago the tenth of July next; and I purposed from that time, as our hereditary servant had just deceased, to employ free help exclusively. But they were aspiring and supercilious; and Mrs. Nardwell, being a Southern lady, and inured to Southern ways, couldn't progress with 'em harmoniously; and they kept deserting her at the most inconvenient times, and in the most ungrateful manner. She is a most excellent woman, and a church-member; but malady affects her nerves, which had always ought to be considered; and as she is much too weakly to do her own work, there was a good deal of indignation against me excited in her paternal house. In fine, it ended in my father-in-law's presenting her with a mulatto girl; so that, manifestly, there was nothing left for me to say. Then the girl, being unaided, was overworked; wherefore I was, out of compassion for her, in a manner obligated to purchase another. You recollect, sir, of what we read in the sacred volume, 'If any man provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.'

"Very true," replied Herman, mentally, "but it seems to me that I have also read, somewhere else, a true saying, that 'the devil can quote Scripture to his purpose.' The worse for you, poor, well-wishing, hen-pecked, white-feathered bantam that you look like. Some of my brother Abolitionists, who crow so loudly and triumphantly now over you, and such as you, might have done no better if they and their wives and mothers had lived where slaves were to be had. Since you do not make this brand of yours your boast and glory, as so many do, since you have had the sense to feel it as a shame and curse, I will not point a scornful finger at it, even in thought. God pity and deliver you."

"I hope Mrs. Nardwell will have no objection to parting with Lize for a reasonable consideration," continued this lord of creation, apprehensively, "though it must, I am fearful, much incommode her for the time. The girl's contrariness while under my roof, which I ought not, perhaps, to have uncharitably mentioned, may, I reckon, be partially accounted for by regret at the separation from her husband, of which I was not previously made aware, to be easily remedied by a second marriage in this neighborhood, and need not therefore necessarily depreciate her market value."

"You bought her, I am informed, for two hundred and fifty dollars?"

"Well, perhaps I did; but it was a great bargain. I reckon I could get a handsome advance on it any time when negroes were lively."

"Very good. I will give you three hundred."

"Thank you, sir; and if, in addition to that, you could offer six per cent. interest from the time I bought her"——

"Three hundred and fifteen."

"Cost of carriage."

"Three hundred and twenty."

"Thank you, sir; very handsome, I'm sure! and if, in addition, you could assign something for board and clothing—for really she has conducted herself in such a manner as hardly to compensate us for her salt."

"Three hundred and fifty."

"I would be prepared to take your offer into consideration."

"No, I beg you won't! I shall miss the cars to a certainty. Once for all, for the sake of dispatch, I'll give you three hundred and sixty dollars for her on the spot, if you will take it," cried Herman, almost out of patience.

"Three hundred and seventy? not three hundred and seventy in such a good and worthy cause? Likely woman, sir."

"Yes, likely to die at any time on your hands and your conscience, at her age, and in her state of mind, or else to fall ill, and be a mere cross, sickly old burden, that you won't know what to do with. Good afternoon, sir."

"Don't be in such a hurry, sir; stop to tea!" expostulated Mr. Nardwell, following him to the threshold.

"Thank you; it is not in my power. Bring round the wagon, Jake."

"Three hundred and sixty-five!"

"What are you about, Nat?" cried Mrs. Nardwell, with her head, in green ribbons this time, popped out of her chamber door, as Herman went down the steps; and he heard an eager colloquy going on:

"My! I never! what a fool!" Whether this epithet was applied to Nat or himself, Herman could not determine. "Why, run right after him; go! run! put! Git shet of that cantankerous old huzzy, for goodness' sake, while you can! We'll never have such another chance."

"Well, if you've got your mind made up, Maria, I'm sure —— Ho, Mister!"

Herman jumped out of the wagon again, and settled the business then and there, which suited him much better than it would have done to be forced, as he expected, to break away again from poor old Betsy, and send back some more experienced trader to make a bargain for him. Business, and the fear of his gentle help-meet's disapprobation, over, Mr. Nardwell relapsed into sentiment, and congratulated Herman, with apparent sincerity, on his "being so circumstanced as to do so generous a 'deed.'"

Are there many sadder things in life than some of those upon which people congratulate us? This was not quite a case in point, perhaps; for Herman was glad, as the circumstances stood, to play the part which he was playing—glad to give so much relief to these poor negroes' hearts, and Constance's mind—very glad to be permitted to sacrifice himself for her. But in almost every great and genuine sacrifice, there must be suffering, must there not? By this, which he was making, all his and her prospects, lately so fair and bright, were thrown into utter uncertainty and confusion. They could hardly marry now, except upon *expectations*, dependent upon his health and popularity in his profession, nor without living more or less, for a time at least, upon Clara; and it had always been a point of honor with both her brothers, to guard her against her own unbounded liberality to them, by their own forbearance. This, Edward's wealth and Herman's economy had hitherto made easy to them; and it was very painful to him to think of taking, or seeming to take, any advantage of her, in order to carry out his own schemes, or further his interests. If he should decide to receive any aid from her, he could receive it only as a loan; and he hated the thought of being in debt—never had been, and had hoped and fully intended never to be. Besides, he could not forget that the approbation of his conscience, which might otherwise have cheered him upon this occasion, was purchased by the reproaches of Constance's. She could not enjoy this triumph of his; she felt it as her shame. Ah, for himself there was more reason for rejoicing than regret; but for her, it might all have been so different if—if she had but been better guided earlier.

However, his quest thus far had prospered beyond his hopes. He had succeeded, in less than six weeks, in finding and freeing all her slaves but one; and he accepted it as a good omen in the remaining case of Mr. Sam Taliaferro. He shook off dull care with a shake of the reins, rattled down to the cars, to the merry music of the mutual felicitations of the dark old images of Philemon and Baucis on the back-seat, saw them safe and joyous on board of a New Bedford vessel at Savannah, and set off on a tour of search through the neighboring States, with much more confidence and cheerfulness than commonly attend the labors of an individual engaged in finding a needle in a hay-stack.

### CHAPTER XIX.

*The Ogre's Den.*

"Child Rowland to the dark tower came."—*Shakespeare*

Days passed, and weeks; but Sam still appeared to be nowhere. Herman had, at the outset, made it his business to find Mr. I. Neade Scurge, the trader who had bought Sam at the auction. He had had the pleasure of an interview with Mr. Scurge at Tallahassee; and what he knew about Sam he told with the utmost civility and good humor; but it was not much. He reported that that chattel had proved as incorrigibly mutinous as any spiritual article of furniture, and that as he couldn't get along with him pleasant to Orleans, he had sold him again just as soon as he could, to "a right smart nigger-breaker," a planter up by Columbus. Herman went thither, and made the acquaintance of this accomplished gentleman, but was informed by him that the man had "had the devil in him right bad"—to that degree, indeed, that his amiable owner had "almost worked himself up" in unavailing attempts to cast him out; and that "as it was the busy season then, and he hadn't the time to give to him," he had sold him to a trader from Mobile, whose name he "disremembered." To Mobile, accordingly, Herman had posted; but nobody among the "lots for sail to suet purchysirs," answered to the name of Sam Taliaferro, until the prepossessing aspect of the inquirer was perceived, when half a dozen did so, in the most obliging manner, but on cross-examination proved to recollect nothing about the former abode or history of their namesake.

Herman went on again through auction-room, and jail, and barracoon, in State after State, compelled to lift the veil through which the grim dark face of Slavery looks so fair, and blithe, sometimes, to superficial eyes in pleasure-ground and drawing-room. He examined the records of sales, where any had been kept, and the memories of the sellers. Sams abounded; but they were for the most part, for anything that appeared, destitute of surname, or of any other token of identity with the Sam in question.

From considerations of various kinds, Herman had been very desirous, throughout, of keeping his business out of the newspapers; but at length he bethought himself of getting a certain well-known slave-trader to insert in his own name an advertisement in the *National Intelligencer*, the *Picayune*, and one or two other gazettes, offering a handsome reward to anybody who would make known the whereabouts of "mulatto boy Sam Taliaferro, raised on the plantation of the late George G. Aspenwall, South Carolina, thence purchased by I. Neade Scurge, Esq., of New Orleans, and by him sold," &c., &c., &c., with as minute a description of his person—the usual scars, so important an item in the physiognomy of a slave, not omitted—as Herman had been able to pick up. Contrary to his almost discouraged expectation, in the course of ten days this elicited an answer almost as remarkable as Grammar itself for its treatment "of orthography, etymology, and syntax," which the trader made over to Herman. It stated that the boy Sam Taliaferro, with one scared lip and a hole in his ear, and without two front teeth, was now indubitably in the possession of Antonie St. Dominique, Esq., in Blanc county, State of Bondage; but requested, that as the latter was "a excentrick man, and did not allwers take things pleasant," the name of the writer might not be divulged—a request which I accordingly and duly observe. At the period which we have now reached, Herman, having arrived, at one the night before, at a little inn in Blancville, was seated there at the breakfast-table, over his coffee, toast, and poached eggs.

"Can you direct me to Mr. St. Dominique's plantation?" said he to the landlord, who, that music might not be wanting to the joy of the banquet, stood whistling on the threshold, with his back to his guest, and his hands in his pockets.

The man stopped whistling, turned round, surveyed him somewhat curiously from head to foot, and then answered, "Reckon I can. What for? Want to go there?"

"Yes. How far off is it?"

"Some thirty mile. Friend o' yourn?"

"No; I have never seen him, but I wish to, on business. Can you let me have a wagon?"

"Well, I don' know. Purpose to be back afore night?"

"If I can, by all means; but it depends a good deal upon what time I can get from here."

"All right; I'll go an tackle the hos right away, an I'll take a seat with ye as fur's the next city."

The landlord's sister, a mild, sickly-viged, middle-aged widow, who had been alternately knitting and supplying Herman's wants the table, arose, followed her brother into the next room, and, in a hesitating tone, gave him sundry domestic commissions: "We're in need of a bag of coffee, I see; the last was half beans, tell the grocer, I'll bet; and I'm ashamed to pour it out for gentlemen that pays their full price handsome; and a bar'l of flour; and some more o' that Peruv'an syrup—I kind o' thought it done me some benefit; and some cras for floor cloths"——

"Well, want anything more? 'Cause you don't, I needn't be in no hurry about startin', and if you does, I better just fetch the cityack with me, an let you help yourself."

[TO BE CONTINUED.]

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For the National Era.

## JASPER: A ROMANCE.

BY EDWARD SPENCER.

### XII.

*How Jasper Washed the Gold.*

[CHAPTER TWELFTH CONCLUDED.]

A couple of months subsequent to Jasper's recovery, he writes thus:

"Our mining days are nearly over. We have met with wonderful success latterly, and a week or two more will put in my hands all that I need to enable me to set out and conquer the world. A pretty fool I am, to be sure, seeking to conquer the world, when I have not even gained the mastery over my own self. And yet 'tis not so foolish, either, for self-conquest is undoubtedly the hardest of any. He who marched from Pella to the Indus, everywhere victorious, yet fell prostrate at Babylon, the victim of an active little demon he had not been able to cast out from himself. *E coelo descendit, Gnothi seauton*, and my communications with the Powers above have been very exceedingly few. For me 'the oracles are dumb,' and I fancy that the only way to compass this *Gnothi seauton* is through the gradual, cumulative empiricism of experience, (which, of course, I cannot be expected yet to have attained to,) or the 'learning made easy' method that goes under the name of revelation; in regard to which I simply remark, that I have not the pleasure of being acquainted with her mysteryship, the Sybil of Panzoust; and if I were, it is not likely that I would be able to understand the language in which she is accustomed to promulgate her vaticinations. As for that right reverend and well-known oracle of the bottle, whose priestess is Bac-buc, and whose portal's motto is EN OINO ALETHEIA I simply say, that I have no faith in its announcements and prognistications.

"Oh, this gold, this gold! how much it is capable of accomplishing! how much I myself can do with it! These petty little shining scales, these dingy quartz lumps, are more precious in the sight of man than the fairest vision that ever flashed upon his gaze, or the grandest work of art that ever came perfect from pencil, pen, or chisel. Not to me, however. Thank my stars, the '*auri sacra fames*' is no sordid passion in my breast. I value gold only as a means, not as an end. The glitter itself has no charms for me; but I am able to charm others by means of that glitter, wherefore I must have it, as it is needed that I should charm others, ere I can please myself.

"It is singular, amusing often, and oftener very pitiful, to hearken to these miners talking of the way in which they intend to dispose of their money. Some are here with a pride-full motive, others for ambition's sake, still more for the wherewith to glut themselves on the pleasures of sense, æsthetic or brutal, as the chance may be; very few, indeed, to do good with what they expect to acquire. And it strikes me that those who come with the meanest objects are the most successful. You poor lad on the hill, who toils day and night, and dreams of the house he shall make his feeble old mother comfortable in, and to which he shall bring his Mary, his happy bride, has scarce saved a dollar; while the gross villain below me, with his sensual face and green eyes, who boasts so brazenly of the table he will keep, the wines he will drink, and the mistresses he will hire, to roll with him in soft luxury, is rapidly acquiring a fortune. That rowdy chap, too, the 'Bowery Boy,' as they call him, how he does ventilate his fancies with visions of fast trotters, and '2.40' on the Bloomingdale road, and boxes at the theatres, and a Vice Presidency at Tammany. While he grows rich, the poor doctor near by, who toils so earnestly for a competence for wife and child at home, can scarcely keep himself from starving. *Bien!*

'Why let the stricken deer go weep,
The hart ungalled play;
For some must watch while others sleep;
Thus runs the world away!'

——"Yet I love this life, hard one though it be. It has many peculiar charms for me. It suits me as a present thing, for, through it, I can dream of what is to come. Delving here up to my waist in black mud, tenderly handling these glittering specks, bending over, pick in hand, till my bones ache, feasting by the pound upon this salt meat, and scarcely-purchasable black bread, hearkening to the occasional merry chorus of the diggers—all this agrees with me, conveues to my humor. Care is shut out, for the regular toil of the day, and the regular sleep of the night, leave no margin for the intruding gloss of morbid thought. I shall regret the mines and the miners, when I am away from them. They think well of me, and hope I will soon come back to them. They are even now contemplating a county and municipal organization, and they wish me to take part in their proceedings, hinting that any place I may desire is at my bid. How much a little affectation of bravery, a little advocacy of humane principles, a little fluency of speech and freedom of manners, can do for one in such a disorganized society. But I must think of nothing, until I have my profession. Already I have to regret my neglected Blackstone. After I am started"——

—— These extracts are very interesting, if we compare them with those previously given. We see that Jasper has sprung out of the flame-circle of thought that used to environ him, and now begins to look intelligently about him, and to entertain purposes. He has purged his mind of bile, and only now needs the habitude of action to become a worker. Like youth, he is sanguine; like youth, his plans comprehend setting the world afire with his own torch, quenching it in a second flood of his own summoning-up, and riding secure above the waters in a Noah's ark of his own building. We all plan thus. The race-horse, when he first bounds off, thinks "to put a girdle round the earth in forty minutes;" it is only when his eye-balls ache, and the sweat oozes through every pore, that he is content to come in on the "home-stretch," winner of the "heat" by a neck. It is the failing muscle or the exhausted brain, only, that can convince us we are not all Pucks.

### XIII.

*How Jasper Spent his Gold.*

"*Un clou pousse l'autre.*"

How Jasper spent his gold may be very easily indicated in a few scenes, which we will briefly place before the reader's eye, with this briefer consoling adage,

"*Non si male nunc et olim sic erit,*"

by way of prelude.

*Scena Prima.*—On one side of the Plaza in the city of San Francisco, let the reader imagine the famous P—— House, one of the "original" hotels of that Phoenix of cities. Though hastily built, and of rough materials, it is yet a regular hotel, with its office, its bar, its reading-room, its barber-shop—where you are charged (it is of the "flush-times" that we write) five dollars for being subjected to that delectable operation hight shampooing—and all the other usual accessories to a "first class" house. At this hour in the evening, say about nine o'clock, the hotel is thronged, and, if dress makes the gentleman, there are precious few of that description here present. Flannel shirts, red, blue, and yellow; coats, if any, of roughest beaver-cloth, or sorry oiled sail-cloth, patched and greasy; kerseymere or cassinet trowsers, buried in tallest cow-hide boots—for San Francisco streets would have taught the toilers at Balaklava to know that there was a "deeper depth" than even they had experienced—and hats of the most eloquent individuality, and utterest disregard of fashion, composed the garb of nearly all present. Fine clothes soiled quickly, and having to pay twenty-four dollars per dozen for washing, made clean linen as rare a luxury as ice used to be in Calcutta. There *were* some who wore white shirts, well-blacked boots, and brushed broad-cloth, but these were three-button mandarins, who had to assert officiality in this way, and who managed to make the Government support the assertion by very lavish disbursements. Neither in the bar, nor in the reading-room of the P—— house, however, is the body of the throng gathered, though in one they make the choicest of cock-tails, and in the other are fresh files of *Herald* and *Tribune* and *Alta*, full of news about Kossuth and Bem and Görgei; about new gold discoveries "up-country," great fires in the villages, and large sales of corner-lots. The "saloon" beyond contains the centre of attraction; and there the crowds of strange nationalities, complexions, and characters, are gathered, for there are "banks," and "tables," appropriated to everything that looks like gambling, from billiards to seven-up; here a four-handed game of euchre is being played; there spins the rattling roulette ball; here the *tailleur* turns up his cards for *rouge-et-noir*; there another is calling out, "make your game, gentlemen," in front of a faro table; in one place is a private party, absorbed in the fascination of bluff; at another table an eager throng risk their "piles" upon the king, seven, five, and "hoss" of monte, which is the favorite game, because the most swift; while others play at loo, lansquenet, kino, rondo, &c., and many more look on, longing, lounging, or philosophizing. It was an exciting scene, this, as well to the *habitué* as to the novice, but it was not one that tended to strengthen our confidence in that position assumed by philanthropists and ethical dreamers—the natural dignity and innate integrity of human nature.

If a spectator here, who happened to be acquainted with the various faces that presented themselves to his view, and with the histories and the circumstances of the men wearing these faces, should have chanced to be at the same time a believer in that very probable and very painful doctrine, that no man who gambles can be honest, he would have been compelled to pronounce the society of San Francisco rotten to the core, and hopelessly corrupt. For *all* gamed, from the silver-haired dotard to the runaway lad of sixteen, who dreams even yet, at nights, of his mother's visit and kiss, when she comes to his bedside to see if he is nicely "tucked in;" from the Governor, stout and cordial in his broadcloth, to the Sydney convict, whose ankles are yet sore with the chafing of the gyves he has not long escaped from. All gamble. See that man who is staking that glittering pile of doubloons upon *couleur* in *Trente-et-un*, with such eager fingers and keen eye. That man was brought up for the ministry, turned politician, has swayed mighty crowds by his eloquence, has had Congressmen gather throngingly about him in our National Halls, enchained by his matchless power of speech, has been picked up drunk in the gutters; has moved the quiet Judges of the Supreme Bench to applause; has raved in the furies of *delirium tremens* in a public mad-house, may yet be returned Senator from his adopted State. But now he is simply and purely a gambler, watching for the turn of a card, with hand on his revolver lest they cheat him, and himself as ready to cheat if he have the chance to do so. Yonder rough blusterer, half-drunk, rash, and losing, was erewhile a quiet farmer in Pennsylvania, where his poor wife and children are now waiting his return, full of golden expectations. He will go to the mines again to-morrow, penniless, and may die there of rheumatism and rum. Is it possible you do not recognise yonder fellow, who, with bloodshot eyes, is fiercely glaring upon the *tailleur*, as that worthy rakes down his winnings into the bank? Did you never hear him, the splendid preacher, who took hearts by storm, and made more converts than any other man; who lectured to thrilled throngs from Maine to Georgia in advocacy of the sublime principles he is now in person so effectually trampling under foot? There is M—— too, one of the highest of our officials; can you guess who that is he is hob-a-nobbing with across the bluff-table? Why, who indeed but the notorious pugilist, upon whose heavy and ruthless hand is the blood of more than one victim slain "in the ring." But M—— cares not for his dark malign countenance and scowling eye, so long as he can win his money. Besides, it is very useful to have such men for acquaintances, especially to a politician, since they are well versed in all the ruling arts of "primary elections," and are perfect in the science of bluster, "buffer," and ballot-box "stuffer." And if, perchance, one should want his enemy knocked down, beaten, disabled, or ———. There, too, is the banker of whom you bought corner-lots this very day, playing *vingt-et-un* with the most ferocious bandit that ever rode down a traveller; aye, despite his laughing eye, his gallant air, his picturesque dress, that is I———, the Sonora highwayman, whose fame would equal Dick Turpin's, were it not so bloody; his stakes now are, perhaps, the plunder of some poor murdered miner.

Women, too? Aye, this slender disguise of men's clothing is a form; for we do have *some* form and rule here at the P—— house, pretending to *rather* more modesty and self-respect than you will be likely to find at the Bella Union, or at Washington Hall—but, of course, every one knows they are women. Dashing and beautiful creatures they are, too, despite their wicked eyes, shameless air, and vile profanity; but still, by far the wretchedest creatures of any here to-night. Yonder woman, fading already, and with a gray strand here and there in her hair, years ago left her quiet Northern home in shame and infamy, to become the Aspasia of Metropolis. Long reigned she, queen of courtesans; and the highest and greatest in the land—authors, statesmen, diplomatists—have not disdained to attend her superb *petits soupers*, or visit her famed *parc aux cerfs*. Adroitest of deceivers, and most abandoned of her sex, she too will be deceived, defrauded of her ill-gotten gains, and left to die, poverty-stricken and idiotic, in a Charity Hospital in a foreign land. That coral-lipped brunette, with such flashing black eye, whom they style Ninon, see her, how she leans upon the young man's shoulder, how his cheek flushes up under the fire of her touch—trust her not, for there is blood on her hands, and her father died from very shame, while she was flaunting in the streets before his door. Others there are, more modest in appearance, and therefore the more to be dreaded; others, again, who try to quench the fever of their haunting anguish in wine—ah, let us look away; the sight too much saddens us.

By the door, standing, and watching the scene with different thoughts, but with one emotion, are two men—one a hearty bluff old sailor, in patched blue jacket, who thinks not of the gambling, but *is* pleased with the women, whether or no; the other, a small tawny-skinned fellow, with filed teeth like a shark's, and keen glittering eye, who wonders within himself whether it be really worse to play pirates and cut-throats in Malaysia, than to play cards and break hearts in California. There they stand, stout old Brawny Back and untamed Abdullah, and there they have stood every night for two weeks, faithfully and uncomplainingly watching over, and, by their mute presence, rebuking Jasper. What, then, does Jasper here? Thou canst see him what he does, yonder, betting on Monte, with that Spanish girl leaning on his shoulders, her dark eye flashing ominously from beneath her broad sombrero, as she toys with his hair in her dainty jewelled fingers, and watches him throwing his money away into the bank whose profits she shares. Is she, Bella, queen though she be, the toast of Lima once, and most magnificent woman here—is she fit companion for him, Jasper, the anchor-stamped, the lover, the noble, the man of such broad plans, of such high ambition? Even so. She *is* fit companion, for Alexander hath come down to the Thais-level, and is no divinity now, to scorch her into Semele-like cinders, if she should demand to see him in his Olympian effulgence. This, then, is his life *comme il faut!* This is the direction taken by that spirit, which, once developed, was to find nothing impossible! This is the Jack's bean-stalk he was to grow into! And this is the Jasper that was so sternly resolved "to work, to work, to work"—to set out and conquer the world itself; who so laughed at his fellow-miners when he learned the way in which they proposed to spend their money; this is he, the high schemer!

Alas! alas! Is he then so utterly fallen? Observe him. Notice his pale, wan, haggard face; his eyes so heavy, so red, so black-circled; notice how his hand shakes as he carries that glass of brandy to his lips and drains it; notice his harsh reckless laugh, his defiant tones; notice how he lavishes his money, as if he were the master of all the deposits at Burgoyne & Co's. Ah, yes, fallen, but not fallen so low that he may not attain to a lower depth, nor, indeed, that he may not entirely recover himself, (except so far as the truth of the adage, "*Quae peccamus juvenes ealuimus senes*, holds,") though he is going ever downward now—Journal unkept, work not done, thoughts of home banished, anchor forgotten, all things sunk and drowned in this one wild riot of wine, game, and debauchery. But neither so hopeless is he, nor so culpable, as you might imagine. Less culpable, because plunged so young and so inexperienced into this dazzling whirl which has turned many older and more sedate heads than his. To the Modern Faust your Mephistophiles could have offered no stronger fascination than a Californian gambling house in these days, as an integral element in a California life. No Auerbach's cellar could become so attractive as its festal splendor and glare; no Margaret could win you on to the wretchedness of sin, so surely as these lost women, with their bright eyes, their studied, elaborate arts, and their reckless, despairing laughter; no witches' sabbath on Blocksberg, nor dazzling Imperial Court, nor weird vision of matchless Helena, called lifelike from the shades, could in any way compete with the glare, and glitter, and strangeness, of the whole scene. One went in and on, shivering and apprehensive, but as irresistibly impelled as was the Kalif towards the Halls of Eblis. And the reason is palpable enough. There was no society, no life, elsewhere. There were no homes. All comforts were banished from this great caravansary of a city, and into the gambling houses only, the outward semblance of care did not presume to venture. Here, at least, whatever arrows of anguish rusted in their hearts, men affected to make merry, and women to be gay. Here the latent lower senses were roused into activity by an irresistible succession of attractions. Here you could feast, while out-doors you were either starved or choked with filthy food, at which every refined sense revolted; here the eye could please itself with the brilliancy of light, the large reproducing mirrors, the artistic *tout ensemble*. Even the pictures were well executed, though obscene in subject, and lascivious in treatment. Here was wine to rouse your spirits; here were men of fame and power, gifted conversationalists, the erratic geniuses of all climes and nations, eager to display their gifts, and win a hearing of your raptured ears; here were women, beautiful as Venus Anadyomene, skilled in all Sybarite arts, and able to drag one blindly on, drunken with the sweet delirium they inspired, whithersoever they listed; here was music, the pomp of orchestral sounds, the sweet tenors and sopranos remembered from old times at home, and supplying a void long felt acutely; here was the clink and golden flash of money, money to be won by the turn of a card, fortunes to be made, luxuries and *deliciae*, purchasable in an half hour's venture; and here too is to be had, perhaps, that sweet oblivion which we so much aspire after, that dulcet oblivion which so gently and soothingly interposes between our deed of sin and our thought of misery, and, shutting out the glaringness of the one, hangs its vail of lotos-vapor over the other likewise. And into this hell plunged Jasper, knowing so little of life, open so much to these delirant fascinations, desiring so much this purchasable oblivion; plunged in, with "bankers, judges, scholars, orators, ay, divines;"* all men doing it, and not all suffering—why should it be so very wrong, so very hurtful?

Not so hopeless, either, was Jasper's case. The poison may have been flung into the stream, but, so far at least as Jasper was concerned, the deep fountain-head that supplied it still ran clear and pure. Outwardly a gambler, and a liver as those around him lived, Jasper was, in his heart, still the Jasper of old, loathing the foulness he consorted with, and loathing himself because of that consorting. And, paradoxical as it may seem, this very loathing was fraught with more danger to him than all the fascinations of card, cup, and woman, than all the idleness and rioting to which he was giving himself up. For the fruit of loathing is bitterness, and of bitterness is born despair, and from despair we rush blindly toward the brink of the abyss, seeking thitherward the lotos flower of oblivion. Not inanity is the fruit of such despair, but fury, madness, the voice and deed of Ajax Furens. And then, we think—and think—"to die—to sleep"—and ponder upon the "bare bodkin," or the painless drug, or the gurgling flood, with unhealthy frequency.

*Scene Second.*—Shall I picture it, or leave it to the reader's fancy? It is some hours later. Jasper is in his room, and with him a young man of his own vein, Brawny Back, and Abdullah, and Bella, the Spanish woman. A few books are tossed upon the floor. A table has cards scattered upon it, among tumblers, wine bottles, jewelry, fruit, &c. Jasper lies on a soft lounge, his head rested against Bella's bosom, as she sits there, sombrero off, hair half down, and hanging about her face in wild voluptuous folds, the little coquettish jacket she had worn is unfastened in front, and shows the white chemise, brooch-fastened, that scarce retains the ripe swell of her bosom, (she reminds one of Mrs. Morninglory in *negligé*,) while the velvet breeches, all belaced and spangled, reveal her matchless form and the beauteous curve of her leg, tapering down so inimitably until it terminated in the firm ancle and wee *doncella's* foot, clad in the dainty satin slippers that only the Spanish girl knows how to wear. A priestess of the Paphian shrine is she, with her soft, warm, black eye, her low murmurs, her hot touch, her voluptuous gestures, her gentle talk, so prettily interspersed with *caro mios* and *amors*, and all sorts of love-words, with every now and then a spice of reckless humor, that gave it an additional charm—as, for instance, her maxim, oft repeated,

"*Baylar al son que se toca,*"

and dancing they have been in reality, being just returned from a wild fandango, where all who saw her murmured:

"What eyes—what lips—what everything about her!
How like a swan she swims her pace, and bears
Her silver breasts!"

(*Bares* her *throbbing* breasts, would have been nearer the actual fact.)

Jasper is haggard and weary, but a wild humor possesses him, and he drinks down glass after glass of the foaming champagne that is before him. B. B. sits watching him, while Abdullah, crouched near the door, and resting on knees and elbows, keeps his eyes fixed on Bella's face, with a cat-like gaze.

"Drink, Herman, drink!" cries Jasper to his visiter. "This life is very death, without drink."

"'*Cuando el demonio es viejo, se mete payle!*'" said the Bella, sarcastically.

Jasper sprang to his feet with a laugh.

"Meaning me! Bella. Thank you. But you are wrong. My blood is not a dust. I am not broken down. I am strong as ever," said he, rapping his hand down upon the table till the glasses jingled. "But I tire of this. It is not my sphere. It sickens me. Come, let us drink. This is not like the whale-boat, or the pick-ax, is it, old Brawny Back?"

"You will tire of *me*, presently, I expect," said Bella, laying her cheek close to his.

"Very probably, *anima mia*."

She flung him from her like a viper, and rose to her feet, with reddening cheek and flashing eye. Stamping her little shoe on the floor, she cried:

"You dare! You have seen somebody else, then, that you like better, perhaps. Adios, Senor, Senores;" and she started towards the door.

Jasper whistled, and began lighting a cigar. The woman turned short round again, and, dashing the cigar from his lips, flung herself into his lap, saying—

"You are my master."

"Come, no hysterics, cara Bella. You know I can't endure anything of that kind."

"Will you not tell me for whom you wear that anchor?" asked she, caressingly.

Jasper's brow grew dark.

"For one too pure to be mentioned here."

"The anchor means hope. I have no hope, but I want to wear an anchor. Will my Jasper give me an anchor?"

He took a little golden anchor from his pocket, and laid it in her hand. She rose, fastened it to a chain that was about her neck, and, dropping it down upon her bosom, went before the looking-glass, as if to contemplate the effect, passing her jewelled hand carelessly over her splendid hair, and singing—

"Ay ojuelos verdes,
Ay los mis ojuelos,
Ay hagan los cielos
Que de mi te acuerdes!"

There was a malignant gleam flitting over her face, as she sung, which Jasper did not see, but which the watchful Abdullah caught. Like a cat he sprang to his feet, and bounded towards her, a flashing poignard in one hand, while with the other he seized her wrist.

"You, devil! Murder my master. I kill you, so;" and he seemed about to thrust at her heart. But her eye met his without quailing. Freeing her hand, she gave him a quick blow in the face, crying—

"Dog! You dare not. I spit on you."

"Be done, Abdullah," said Jasper, "let the woman alone. I can take care of myself," and he wrenched the knife from Abdullah's hand. The Malay faced Bella for a moment, his eyes glaring, his white teeth shining, and then he seized upon the anchor on her bosom, broke it loose from the chain, with a sudden passionate snatch, and flung it out the window, saying:

"She, devil! Put spell on you. Not have it."

"A nice household I have, Herman," said Jasper, bitterly, "do you not think so? Is it your custom to judge one by the company he keeps? Come, more wine! We'll drown all in the cup. Drink, B. B.; drink, Herman; clink your glasses together, you Bella, and you Abdullah, tigers both. Do as I bid you! Be friends again. Here, we'll drink to the anchor, Hope's bright emblem. Ha, ha! *Viva l'esperanza! viva! viva!*"

[TO BE CONTINUED.]

* Vide a series of graphic articles in "Putnam's Monthly," on California life, by Doctor Palmer, the author of the "Golden Dagon," &c., (I suppose,) to whom I take much pleasure in acknowledging my indebtedness, so far as the contents of the present chapter are concerned. In many places I have merely reproduced his inimitable sketches.

For the National Era.

## MEN AND WOMEN.

No. 9.

### Heroism in the Private Walks of Life.

BY GAIL HAMILTON.

Watchman! What of the night? The morning cometh.

It is not for the generation among whom Elizabeth Browning has sung, and Charlotte Bronte spoken, and Harriet Hosmer chiselled, and Rosa Bonheur painted, and Mary Lyon taught, and Florence Nightingale lived, to despair of woman's achievement of her highest destiny. In whatever direction you choose to walk, you will find that a firm foot-fall has preceded yours; that a strong hand has hewed down the giant trees, and cleared away the tangled undergrowth, so that the forest which once required all a man's strength and a woman's fortitude, a child may thread unharmed. Thus do the strong bear the burdens of the weak. Thus have noble women made straight, in the desert, a highway for our God. "Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me." It is the first step which costs; and the first step has been taken.

But let us not suppose that generous ends can be attained only on the mountain-top. To but few is strength given to climb its ragged sides, and clearness and breadth of vision to take in the broad sweep of its low-lying landscape. Down in the valley, there is work to be done—humble, yet Divine; small in the germ, yet great in the unfolding. However simple or however difficult, however obscure or however prominent the work may be, matters not, provided it be God's appointed work. It is better to rule a household well, than a kingdom ill.

"He that sweeps a floor as to God's law,
Makes that and the action fine."

The ring on a child's finger is as perfect a circle as the zone of this round world. The Dairyman's Daughter "just knew, and knew no more, her Bible true," lived out her brief and simple life, and was not, for God took her. But from her humble island home her voice still speaks comfort and hope to the ends of the earth.

Here and there, both in the beaten paths and the untrodden ways, on the lowlands and the uplands of life, I meet an angel—not in white robes, garlanded with roses, and winged for Heaven, but plain in calico, it may be, or grand in velvet. I recall now the face of one whose life is to me a constant gospel. A slight, pale girl, orphaned, homeless; neglected by those who should have watched her young years tenderly, she yet seems to have drawn to herself, by some magnetic power, all the good of all the persons by whom she has been surrounded, and to have fed her own soul thereon. She went to school, bearing in her mean and scanty dress, her thin cheeks, and hard hands, the marks of poverty and toil; and wild, thoughtless, elegantly-dressed, and carefully-nurtured girls, hushed their heedless sarcasm, softened their merry voices, and spoke to her with love, and of her with tears. Shrinkingly sensitive to their opinions, tremblingly alive to her own disadvantages, conscious as she must have been that she served a hard taskmaster, no word of complaint ever passed her lips. Always cheerful, modest, happy, willing to be pleased, grateful for kindness, and patient of any chance neglect, you might have supposed her entirely insensible to the motives and feelings that influence ordinary girls, were it not for the occasional quiver of the lip, the quick, nervous, gesture, the moistened eye, and faltering tone. She left school with disease lurking in her system, slowly and surely undermining the citadel of life; but she kept up her courage. She had no idea of dying till her hour should come, and, as long as she should live, she determined that her living should bring forth fruit. She earned money enough to transport herself to a climate which was pronounced favorable to her health; there, in wild backwoods, among a rough people, who had forgotten, if they ever knew, the common refinements of life, she opened a school. From her rude home she wrote merry letters, describing her adventures, and her circumstances. There was no talk of self-denial, the greatness of sacrifice, the hardship of missionary life. Over all the harsh outline, and the harsher filling in, she threw the veil of her playful fancy, and few heard the mournful under-tone that thrilled through the gay and sprightly song. The new scenes and the softer air did not have the desired effect, and a short time since she wrote to a friend: "I have moved from a small, quiet school, to a large, rollicking, frolicking, fun-loving one. I am happy; I think I ought to be. Every one is kind. But, dear E., I am quite puzzled. I don't know just what to do. If I am to teach much longer, it would be better for me to return to New England, and go to school a while. I have earned enough to keep me at school a year or so, and I do believe I am willing to exert myself to the utmost to improve. But, then, this cough increases. It may not be long before it will have an end. If I go to New England, I may spend all the life left me in *acquiring* knowledge, and so lose the opportunity for usefulness that I might have if I remained here. Now, the question is, Which will bring the largest pile of wood—the dull axe for six hours, or the sharp one for two?"

This is what I mean by heroism. This young girl standing at bay, watching what she believes to be the approach of inevitable death, asking for no rest from toil, no indulgence for weakness and weariness, no sympathy in loneliness, but only striving to know how the little life that remains may be turned to the best account. Brave heart! on the wings of this soft south wind, that murmurs of violets in the ear of winter, I send you greeting. In your far-off home my voice may never reach you; but if by any chance your eyes should fall upon these words, know that my soul does willing homage to yours, and forgive these few sentences, for the love and reverence that prompted them.

"None but thou and I shall know."

I remember another, a stranger in a strange land; an exile from the home of her fathers; a fair-haired and blue-eyed girl, a warm-hearted and whole-souled woman; of exquisite sensibility, refined taste, and elegant culture; a lover of song, and grace, and beauty, in any guise; a man in strength, a martyr in endurance; performing a father's duty to children not her own; fighting the battle single-handed, and no holiday contest, but a life-and-death struggle with the wolf at the door; welcoming the cold embrace of Duty as smilingly as if it were the warm clasp of Love; eager eyes and ears wide open to the green fields, the upspringing daisies, the note of bee and bird, yet swerving not a hair's breadth from the rocky path which her aching feet most resolutely tread—and where I see her foot-prints, I know it is holy ground.

And yet another face shines on me through the night—a face over which the Angel of Sorrow has swept his wing in passing, and saddened into a beauty that is not of the earth. You, looking, see only dark eyes that flash laughter, love, or tears; a delicate cheek, that pales and flushes at your words; red lips, whence drop rare gems of wit and wisdom. These are there, and I see them; but beyond these, and deeper than these, I see a soul that has been weighed in the balance, and not found wanting; a heart that has been wrung by sorest anguish, and only grown more pitying and tender; a hand that has touched every note from highest to lowest, and learned to strike from earthly chords most heavenly harmonies; a woman who has said to wealth, and station, and ease, "Get thee behind me!" and, mailed in her own integrity, has dared opposing fate. It is these, and such as these, that

"—— Show us how divine a thing
A woman may be made."

They redeem their sex from the charge of frivolity, inanity, and feebleness, revealing to us the capacities that lie hidden in her heart of hearts; and it is because I have witnessed such noble living, such "extraordinary, generous seeking," that I believe in woman; and when I see life going to waste—when I see a woman's soul bent on ignoble ends, frittered away on trifling toys, finding content and happiness in things that perish with the using, I feel not contempt, not anger, but sadness and sore regret.

"The pity of it, Iago, the pity of it."

I mourn for gold grown dim, and fine gold changed—for fields white to harvest, and the reapers disporting among flowers—for a world lying in ignorance and wickedness, and the power that should raise and redeem it, and fit it once more for the footsteps of its Lord, spending its strength for naught.

Oh! if this latent power could be aroused! If womanhood would shake off this slumber, and put on her strength, her beautiful garments, how would she go forth conquering and to conquer—how would the mountains break forth into singing, and the trees of the field clap their hands—how would our sin-stained Earth arise and shine, her light being come, and the glory of the Lord being risen upon her!

One cannot do the world's work; but one can do one's work. You may not be able to turn the world from iniquity, but you can at least keep the dust and rust from gathering on your own soul. If you cannot be directly and actively engaged in fighting the battle, you can at least polish your armor and sharpen your weapons, to strike an effective blow when the hour comes. You can stanch the blood of him who has been wounded in the fray—bear a cup of cold water to the thirsty and fainting—give help to the conquered and smiles to the victor. You can gather from the past and the present stores of wisdom, so that when the future demands it, you may bring forth from your treasures things new and old. Whatever of bliss the Divinity that shapes our ends may see fit to withhold from you, you are but very little lower than the angels so long as you have the

"God-like power to do—the god-like aim to know."

You can be forming habits of self-reliance, sound judgment, perseverance, and endurance, which may one day stand you in good stead. You can so train yourself to right thinking and right acting, that uprightness shall be your nature, truth, your impulse. His head is seldom far wrong whose heart is always right. We bow down to mental greatness, intellectual strength, and they are Divine gifts, but moral is stronger than they. It is irresistible—always in the end triumphant. There is in goodness a penetrative power that nothing can withstand. Cunning and malice melt away before its mild, open, steady glance. Not alone on the fields, where chivalry charged for laurels, with helmet and breastplate, and lance in rest, could the true knight exultantly exclaim,

"My strength is as the strength of ten,
Because my heart is pure,"

but, wherever man meets man, wherever there is a prize to be won, a goal to be reached. Wealth, and rank, and beauty, may form a brilliant setting to the diamond, but they only expose more nakedly the false glare of the paste. Only when the king's daughter is all glorious within, is it fitting and proper that her clothing should be of wrought gold.

From the great and the good of all ages, rings out the same monotone. The high priest of nature, the calm-eyed poet who laid his heart so close to hers that they seemed to throb in one pulsation, yet whose ear was always open to the "still sad music of humanity," has given us the fruit of his life-long wisdom, in these grand words:

"True happiness abides with him alone
Who, in the silent hour of inward thought,
Can still respect and still revere himself."

Through the din of twenty rolling centuries, pierces the sharp, stern voice of the brave old Greek: "Let every man, when he is about to do a wicked action, above all things in the world, stand in awe of himself, and dread the witness within him." All greatness and all glory, all that earth has to give, all that Heaven can proffer, lies within the reach of the lowliest as well as the highest; for He who spake as never man spake has said that the very "Kingdom of God is within you."

Born to such an inheritance, will you wantonly cast it away? With such a goal in pros-

earth in possession and Heaven in reversion, will you go sorrowing and downcast because here and there a pearl or ruby fails you? Nay, rather, forgetting those things which are behind, and reaching forth unto those which are before, press forward. Discontent and murmuring are insidious foes; trample them under your feet. Utter no complaint, whatever betide; for complaining is a sign of weakness. If your trouble can be helped, help it; if not, bear it. You can be whatever you will to be. Therefore, form and accomplish worthy purposes. If you walk alone, let it be with no faltering tread. Show to an incredulous world,

"How grand may be Life's might,
Without Love's circling crown."

Or if the golden thread of love shine athwart the dusky warp of duty, if other hearts depend on yours for sustenance and strength, give to them from your fulness no stinted measure. Let the dew of your kindness fall on the evil and the good, on the just and on the unjust.

Compass happiness, since happiness alone is victory. On the fragments of your shattered plans, and hopes, and love—on the heaped-up ruins of your past—rear a stately palace, whose top shall reach unto heaven; whose beauty shall gladden the eyes of all beholders; whose doors shall stand wide open to receive the way-worn and weary.

Life is a burden, but it is imposed by God. What you make of it, it will be to you, whether a millstone about your neck, or a diadem upon your brow. Take it up bravely, bear it on joyfully, lay it down triumphantly.

APPENDIX.

To all those known and unknown friends, who, during the publication of these articles, have sent me words of greeting, approval, or suggestion, I beg to return my grateful acknowledgments; and while I humbly crave pardon of those whose sensibilities have been lacerated by my remarks on the "light infantry," they will allow me to say, that I did not mean their babies, not in the least—since I have no doubt they are the prettiest, fattest, pinkest, charmingest, little bundles of coral and cambric in the world; but only a certain abstract, impersonal, metaphysical *enfant terrible*, who shall be the scape-goat for all the sins of babydom. To the young mother, whose feelings are outraged by my comparing her pet to a pig, I only reply, that the fault is not, as she suggests, my ignorance of babies, but her ignorance of pigs. In the words of the ballad,

"O mother, mother, what's a pig,
That thou shouldst weep and wail?"

I believe she must be thinking of the rusty, musty, dusty abominations driven in flocks and herds along our streets, but I assure her that whoever forms his opinion on such grounds has a very *ex parte* view of the case. The pig "in my mind's eye, Horatio," is in a far less advanced stage of natural history, a pig whose tender age is reckoned by days, whose young feet have not yet wandered from the paternal roof, whose purity is untarnished, whose infant voice has only the faintest suggestion of a squeal, whose soft skin and silky——

"O, call it *hair*, not *bristles*,"

are faintly flushed with the hues of a winter sunset, or the pure tint of mother-of-pearl, or the bloom in the heart of a peach blossom when the rose pales into the lily. Believe me, fond mammas, I have spoken "with zeal," but "according to knowledge;" and if the pigs do not protest, the babies need not; for there are few of the latter who would not be flattered by the comparison.

The bravery with which women have come up to the defence of their darlings, and the sly satisfaction with which men have informed me confidentially, in corners, that they "thought just so!" affords another illustration of the admirable manner in which nature balances supply and demand.

Au revoir. G. H.

## THE BEAUTY OF PEACE.

BY L. MARIA CHILD.

"Power itself has not half the might
Of Gentleness."—*Leigh Hunt.*

Men listen more coldly to the advocacy of peace principles than to other wise words. Few, professing to believe the Christian Religion, venture to deny their truth, while at the same time all agree in giving them a sort of moonlight reputation, a will-o'-the-wisp foundation, as beautiful but impracticable theories. I cannot help feeling a strong hope, amounting to faith, that the world will be at last redeemed from the frightful vortex of sin and misery in which it has been drawn by the prevailing law of Force. And surely 'tis a mission worth living for, that the Christian doctrine of overcoming evil with good, is not merely a beautiful sentiment, as becoming to the religious soul as pearls to the maiden's bosom, but that it is really the highest reason, the bravest manliness, the most comprehensive philosophy, the wisest political economy.

The amount of proof that it is so, seems abundant enough to warrant the belief that a practical adoption of peace principles would be *always* safe, even with the most savage men, and under the most desperate circumstances, provided there was a chance to have it distinctly understood, that such a course was not based on cowardice, but on principle.

When Captain Back went to the Polar Regions in search of Captain Ross, he fell in with a band of Esquimaux, who had never seen a white man. The chief raised his spear to hurl it at the stranger's head; but when Captain Back approached, calmly and unarmed, the spear dropped, and the rude savage gladly welcomed the brother man who had trusted in him. Had Captain Back adopted the usual maxim that it is necessary to carry arms in such emergencies, he would probably have occasioned his own death, and that of his own companions.

Raymond, in his travels, says: "The assassin has been my guide in the defiles of Italy, the smuggler of the Pyrenees has received me with a welcome in his secret paths. Armed, I should have been the enemy of both; unarmed, they have alike respected me. In such expectation, I have long since laid aside all menacing apparatus whatever. Arms may indeed be employed against wild beasts; but men should never forget that they are no defence against the traitor. They may irritate the wicked, and intimidate the simple. The man of peace has a much more sacred defence—his character."

Perhaps the severest test to which the peace principles were ever put, was in Ireland during the memorable rebellion of 1786. During the terrible conflict, the Irish Quakers were continually between two fires. The Protestant party viewed them with suspicion and dislike, because they refused to fight or pay military taxes; and the fierce multitude of insurgents deemed it sufficient cause for death, that they would neither profess belief in the Catholic religion nor help to fight for Irish freedom. Victory alternated between the two contending parties; and, as usual in civil war, the victors made almost indiscriminate havoc of those who did not march under their banners. It was a perilous time for all men; but the Quakers alone were liable to a raking fire from both sides. Foreseeing calamity, they had destroyed all their guns and other weapons used for game. But this pledge of pacific intentions was not sufficient to satisfy the Government, which required warlike assistance at their hands. Threats and insults were heaped upon them from all quarters; but they steadfastly adhered to their resolution of doing good to both parties, and harm to neither. Their houses were filled with widows and orphans, with the sick, the wounded, and the dying, belonging both to the loyalists and the rebels. Sometimes, when the Catholic soldiers were victorious, they would be greatly enraged to find Quaker houses filled with Protestant families. They would point their pistols at their enemies, and threatened, if they were not immediately turned into the street, to be massacred. But the pistol dropped, when the Christian mildly replied, "Friend, do what thou wilt, I will not harm thee, nor any other human being." Not even amid the savage fierceness of civil war, could men fire at one who spoke such words as these. They saw that this was not cowardice, but bravery much higher than their own.

On one occasion, an insurgent threatened to burn down a Quaker house, unless the owner expelled the Protestant women and children who had taken refuge there. "I cannot help it," replied the Friend. "So long as I have a house, I will keep it open to succor the helpless and distressed, whether they belong to thy ranks, or to those of thine enemies. If my house is burned, I must be turned out with them, and share their affliction." The fighter turned away, and did the Christian no harm.

The Protestant party seized the Quaker

in quiet, while they were obliged to fight to defend his property. "Friends, I have asked no man to fight for me," replied the schoolmaster. But they dragged him along, swearing that he should stand in front of the army, and, if he would not fight, he should at least stop a bullet. His house and school-house were filled with women and children, who had taken refuge there; for it was an instructive fact, throughout this bloody contest, that *the houses of men of peace were the only places of safety.* Some of the women followed the soldiers, begging them not to take away their friend and protector, a man who expended more for the sick and the starving than others did for arms and ammunition. The schoolmaster said, "Do not be distressed, my friends; I forgive these neighbors for what they do in ignorance of my principles and feelings. They may take my life, but they cannot force me to do injury to one of my fellow creatures." As the Catholics had done, so did the Protestants; they went away, and left the man of peace safe in his divine armor.

The flames of bigotry were of course fanned by civil war. On one occasion, the insurgents seized a wealthy old Quaker, in very feeble health, and threatened to shoot him, if he did not go with them to a Catholic priest and be christened. They had not led him far before he sank down, from extreme weakness. "What do you say to our proposition?" asked one of the soldiers, handling his gun significantly. The old man quietly replied, "If thou art permitted to take my life, I hope our heavenly Father will forgive thee." The insurgents talked apart for a few moments, and then went away, restrained by a power they did not understand.

Deeds of kindness added strength to the influence of gentle words. The officers and soldiers of both parties had had some dying brothers tended by the Quakers, or some starving mother who had been fed, or some desolate little ones that had been cherished. Whichever party marched into a village victorious, the cry was, "spare the Quakers! they have done good to all, and harm to none." While flames were raging, and blood flowing in every direction, the houses of the peace-makers stood uninjured.

It is a circumstance worthy to be recorded, that during the fierce and terrible struggle, even in counties where the Quakers were most numerous, but one of their society fell a sacrifice. That was a young man, who, being afraid to trust to peace principles, put on a military uniform, and went to the garrison for protection. The garrison was taken by the insurgents, and he was killed. "His dress and arms spoke the language of hostility," says the historian, and "therefore they invited it."

During that troubled period, no armed citizen could travel without peril of his life; but the Quakers regularly attended their monthly and quarterly meetings, going miles across the country, often through an armed and furious multitude, and sometimes obliged to stop and remove corpses from their path. The Catholics, angry at Protestant meetings being thus openly held, but unwilling to harm the Quakers, advised them to avoid the public road, and go by private ways. But they, in their quiet, innocent way, answered that they did not feel clear it would be right for them to go by any other path than the usual high road. And by the high road they went unmolested; even their young women, unattended by protectors, passed without insult.

Glory to the nation that first ventures to set an example at once so gentle and so brave! And our wars—are they brave or beautiful, even if judged of according to the maxims of the world? The secrets of our cowardly encroachments on Mexico, and of Indian wars, would secure a unanimous verdict in the negative, could they ever be even half revealed to posterity.

## THE INVESTIGATION OF ABUSES IN THE NAVY.

The reports of the majority and minority of the select committee of the House, in relation to abuses in the navy, were submitted on Thursday. The matters disclosed will produce a deep impression upon the country.

The following is a summary of the leading points:

"The majority report declares some abuses in the navy yards, especially of political favoritism; recognises an impropriety in the selection of Dr. Hunter as a coal agent, for the supply of fuel; exhibits the transactions in relation to the contracts for live-oak timber, but deems them right and consistent; and, in reference to steam machinery, disapproves of the appointment of Mr. Martin as a member of the board of engineers, inasmuch as a boiler invented by him was included in all the plans presented to the board. The report concludes by submitting the following resolutions:

"1. That the testimony taken in the investigation proves the existence of glaring abuses in the Brooklyn navy yard, and requires the interposition of legislative reform—that it is due to justice to declare that these abuses have been slowly and gradually growing up during a long course of years, and that no particular Administration should have the entire blame thereof.

"2. That the coal agency for some time past has been in the hands of persons wholly inefficient and grossly incompetent, and that reform is needed in the regulations which exist on the subject; and that there is no proof which traces the knowledge of such inefficiency and incompetency to the responsible authorities in Washington.

"3. While the committee will never sanction or approve, on the part of any officer of the Government, any favors to contractors; yet, if the Secretary of the Navy did contemplate any favor to Swift, he did not design to bestow it to the detriment of the Government, but that in all he did in this matter he kept always in view the good of the public and the interest of the service.

"4. That in the letters of contracts for the construction of steam machinery for the use of the navy, during the present Administration, nothing has been shown which calls for the interposition of the Congress of the United States; but it is manifest the present head of the Navy Department has displayed a very laudable zeal to secure the greatest amount of speed and efficiency attainable to said vessels.

"The minority report is very decided in its declaration of abuses in reference to each of the subjects pending in the inquiry. It asserts, in reference to the coal agency, that Dr. Hunter was a physician who knew nothing about coal, and that he transferred the whole business to a firm in Philadelphia, Hunter receiving $7,453 as his profits.

"In the matter of the live-oak timber, the report declares that compacts were made between parties for mutual advantage in violation of law, and to the detriment of the public service.

"With respect to the machinery, that the awards generally were determined upon the vote of D. B. Martin in the board of engineers, and that he was largely interested.

"And the report asserts that the navy yards have been turned into a political machine.

"They find that Hon. J. Glancy Jones, while a member of Congress, agreed with the Reading Forge Company to get Government contracts and work for it, and did so, for which he was to receive five per cent. That in so doing he violated the law.

"They moved the passage of a bill, in order to guard against abuses, and the adoption of the following resolutions:

"*Resolved*, That the Secretary of the Navy, with the sanction of the President, abused his discretionary power in the selection of a coal agent, and in the purchase of fuel for the Government.

"*Resolved*, That the contract made by the Secretary of the Navy, under date of September 28, 1858, with W. N. Swift, for the delivery of live-oak timber, was made in violation of law, and in a manner unusual, improper, and injurious to the public service.

"*Resolved*, That the distribution by the Secretary of the Navy of the patronage in the navy yard among members of Congress, was destructive of discipline, corrupting in its influence, and highly injurious to the public service.

"*Resolved*, That the President and Secretary of the Navy, by receiving and considering the party relations of bidders for contracts with the United States, and the effect of awarding contracts upon pending elections, have set an example dangerous to the public safety, and deserving the reproof of this House.

"*Resolved*, That the appointment by the Secretary of the Navy of Daniel B. Martin, chief engineer, as a member of the board of engineers to report upon proposals for constructing machinery for the United States, the said Martin at the time being pecuniarily interested in some of said proposals, is hereby censured by this House."

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# WASHINGTON, D. C.

THURSDAY, MARCH 3, 1859.

All *new* subscribers will receive the *Era* from the 1st of January, unless otherwise requested.

## THE RIGHT OF INSTRUCTION—BRODERICK, BRIGHT, AND FITCH.

It was a favorite doctrine of the Democratic party, in the day of its successes and triumphs, that the constituencies retain the right to instruct their Representatives, and that the Representative is bound to obey or resign. But of late years, during the decline and fall of that once formidable organization, we have had numerous examples of the wide differences which ever exist between the perfection of creeds and professions, and the deficiency of performance.

So flagrant have been the instances, in recent years, of a departure in practice from this ancient article of faith, that we had supposed it to be obsolete. It seems, however, that we were mistaken. The official organ of Mr. Buchanan brings to our notice a recent instance of the fulmination of the political anathema by the Legislature of California against the devoted head of its recusant Senator, Mr. Broderick. The *Union* is in ecstacies of delight with this "Democratic" procedure, and although it hesitates to say the word, the inference is unmistakable, that the editors, as the organ of the President and Cabinet, expect Mr. Broderick, in the name of common decency, to resign. The resolutions of the Legislature, as we find them copied into the *Union*, are as follows:

"Whereas the ninth session of the Legislature of the State of California passed resolutions instructing our Senators in Congress to support the policy of the National Administration in regard to the admission of Kansas under the Lecompton Constitution; and whereas the Hon. David C. Broderick—a United States Senator from this State—not only disregarded said instructions, but indirectly charged that the members of the said ninth session of the Legislature had misrepresented the wishes of their constituents; and whereas the people of this State, at the last election, triumphantly sustained the action of the members of said ninth session of the Legislature: therefore, for the purpose of giving to the said Hon. David C. Broderick a full understanding of the position he occupies to his constituency, be it

"*Resolved by the Senate*, (the Assembly concurring,) That the Legislature of a State constitute the immediate constituency of a United States Senator.

"*Resolved*, That a constituency has a right, at all times, and it is their duty, when deemed necessary, to instruct their representatives upon all matters of public policy pertaining to the duties of such representatives; and that to such representatives, when instructed, there is left no other honorable alternative save obedience or resignation.

"*Resolved*, That Senator Broderick has neither yielded obedience to the instructions of the ninth session of the Legislature of this State, nor has he, as yet, resigned the seat he holds contrary to the wishes of his constituency.

"*Resolved*, That the language used in the speech of said Senator, on the 22d of March, 1858, in the United States Senate, towards the Chief Executive of this Confederacy, was not only undignified and disrespectful, but alike insulting to the nation and humiliating to the people of this State.

"*Resolved*, That his Excellency the Governor of this State be requested to forward a copy of the above resolutions to the Hon. D. C. Broderick."

We claim no right to interpose in a family quarrel; but we may be allowed to make the friendly suggestion, that the resignation of Mr. Broderick, in obedience to these instructions, would be an example of fatal tendency in its effects upon the ascendency of the Democracy in the Senate, while it would at the same time administer a severe rebuke to two leading members of the Cabinet. It cannot be forgotten that General Cass held on to his seat in the Senate long after he had been repudiated as the representative of Michigan, and in open defiance of the instructions of the State Legislature. It is equally well remembered that Mr. Toucey, the Secretary of the Navy, clung to his Senatorial position after the State had become Republicanized, and grossly misrepresented his constituency on measures of the greatest importance. But these are events which belong to the past; and although the resignation of Mr. Broderick, in compliance with the resolutions of the California Legislature, might by contrast reflect discredit upon these members of the Cabinet, it could have no practical effect upon them; and we merely allude to the subject by way of a gentle hint that it is unbecoming in people who reside in glass houses to throw stones. The prospective effect of the example which is sought to be created at the expense of Mr. Broderick might be attended by consequences more serious. We say nothing of Messrs. Stuart, Wright, and Allen, whose political career will end with the present session of Congress; but there are others whose lease of political existence is longer, and who would be constrained, in the name of common decency, to follow the fatal example of Mr. Broderick. What would become of Mr. Thomson of New Jersey, Mr. Pearce of Maryland, who, though elected a Whig, is now a faithful follower of the Administration, and of Mr. Pugh of Ohio? Not one of these gentlemen truly represent their constituents, and not one of them could be re-elected. New Jersey has given a decided majority to the Anti-Lecompton "people's party," composed of Republicans and Americans. Maryland is "American" by several thousand majority, and Ohio is Republican by a still larger majority, to say nothing of a separate opposition organization, composed of Americans and Whigs. Here, then, are discrepancies between "Democratic" representatives and their constituents, which it is not wise on the part of the Administration to bring too prominently before the public.

But the most flagrant instance of a disregard of the will of their constituency, by men claiming to be Senators, which the history of this country furnishes, is yet to be mentioned. We allude to the case of Messrs. Bright and Fitch. In that case, the Legislature of a sovereign State solemnly protest that the men who claim to represent Indiana on the floor of the Senate of the United States were never elected; and, to give the most unmistakable assurance of the sincerity of their protest, they elect other men to fill the vacancies which they have declared to exist in their Senatorial representation. The Democratic majority of the Senate turns a deaf ear to the voice of Indiana, and the Washington *Union* is foremost among the defenders of this Senatorial insult to a sovereign State.

If the States have any one right which the Federal Government is bound to respect, it is the right of being represented in the Senate by men of their own choice, legally chosen. It is true that "each House shall be the judge of the elections, returns, and qualifications of its members;" and, as it regards the House of Representatives, there is a manifest propriety in [illegible] the people of the United States, as constituents of a common National Union, in contradistinction from the Senate, which represents the States in a Federal capacity. The members of the House of Representatives have no connection with the State Legislature, or with any other Department of the State Government. It is true that their election is conducted under the State authorities, but their business is to represent the people *en masse*, and not the States. The Senate is differently constituted. It is composed of the representatives of State sovereignties, without the slightest reference to the number of people embraced within them. The Senators are elected by the solemn act of the State Legislatures.

In the election of members of the House of Representatives by the people at the polls, numerous cases of a dubious result must necessarily occur, owing to the great numbers of the electors, the absence of sufficient legal responsibility on the part of the judges of the polls, and the real difficulty of preventing fraudulent voting. The House of Representatives is the only legal body which could settle these cases. The State Governments have nothing to do with them; and public opinion cheerfully acquiesces in the constitutional regulation which refers them to the House for decision. But in the case of Senators, every friend of State rights will watch with jealousy cases of disputed election. Senators are chosen by the State, not by the people of the State. They represent it, in some sense, as Ambassadors to a foreign Court; and while we will not undertake to question the propriety of the constitutional regulation which vests in the Senate the right to determine the validity of the election of its members, we insist that the greatest caution and delicacy should be observed in supervising the acts of the States.

The majority of the Senate, in the case of the Indiana contested case, while professing the most ultra State Rights doctrines, have shown none of this delicacy. It has rudely set aside the authority of the State, in violation of its own precedent at the last session of Congress. We but utter the common opinion of all dispassionate men when we say that the admission of Bright and Fitch to seats in the Senate, immediately after the rejection of Mr. Harlan, has been accomplished by the majority in that body on grounds of the lowest and most disreputable party exigency, regardless of the rights of Indiana, and of the honor and dignity of that body.

A party which has thus signalized its contempt for the popular will, and for the obligations of law and justice, should be the last to insist on representatives obeying the instructions of their constituents; and one would naturally suppose that its supporters would refrain from alluding to a topic which must always be suggestive of associations by no means agreeable to minds not lost to a sense of shame.

## ASTOUNDING OFFICIAL CORRUPTION—THE PRESIDENT.

Official corruption in its various forms is almost inseparable from human governments, and instances of peculation, of fraud, and of official brokerage, are by no means new in the history of our country; but never until now has a President of the United States been detected in giving his countenance to such transactions. Dishonoring as it is to our national character, we feel it due to the truth of history and to an outraged public morality to call attention to the facts brought to light by the minority report of the committee on naval contracts.

The committee directed their investigations to four distinct items of expenditure, viz:

1. To the purchase of fuel for the navy.
2. The purchase of live-oak timber.
3. The management of the navy yards, and especially that of Brooklyn.
4. Contracts for steam machinery.

We begin by reciting the leading facts under the first head. By the act of September 28th, 1850, it was provided that

"In the article of fuel for the navy, or naval stations and yards, the Secretary of the Navy shall have power to discriminate and purchase, in such manner as he may deem proper, that kind of fuel which is best adapted to the purpose for which it is to be used."

In May, 1858, numerous applications were made to the Secretary of the Navy, for the office of coal agent, which was at that time held by Benjamin Tyson. The mode of purchasing coal, the selection of the agent, if needed, and his compensation, were entirely at the discretion of the Secretary. The report continues:

"The coal business had largely increased, so that the amount annually purchased was, in 1858, about 55,000 tons, being a larger amount than in previous years, and the per centage yielded a larger salary. In May, 1858, some of the applicants met at Washington, and, at a conference with each other and their friends, (among whom was the Hon. J. Glancy Jones,) it was agreed that Dr. Charles H. Hunter, of Reading, Pennsylvania, should be appointed coal agent; *and that the emoluments of the office should be equally divided between himself, John F. Smith, and J. Lawrence Getz, warm personal and political friends of the President, who had contributed largely to his election.* Hunter and Smith were both applicants for the office of coal agent; Getz was a member of the Pennsylvania Legislature, and then and now the editor of the *Reading Gazette*. Each of the parties above named was examined by your committee; and also C. Nicholas Beach, whose connection with the transaction will hereafter appear.

"Mr. Smith testified that he was in Washington in May last, and was present when the arrangement for the appointment of Hunter was made. That some of the applicants and their friends had a conversation to arrange things amicably, if they could. Finally it was agreed that, if the Secretary would appoint either of them, he should appoint Dr. Hunter, Mr. Getz, and Mr. Smith. That the arrangement was communicated to the Hon. J. Glancy Jones, then a member of this House, and that *the President also understood that the emoluments of the office were to go to the three.* As this was deemed important by the committee, the witness was examined and re-examined by different members of the committee, as to the knowledge of the President; he repeated that *the President knew that the three were to divide the emoluments of the office*, and that the parties were satisfied with the decision; but he knew nothing about the arrangement, whether one-half was to go to one party, and the other half to the other two, or not.

"Mr. Getz testifies, that he was at Washington at the time, and was informed of the arrangement for the appointment of Dr. Hunter, and that he (Getz) was to have one-third of the profits. He agreed to it, with a 'mental reservation.' He conversed with the President about the appointment of Dr. Hunter, and the President said to him: 'Mr. Jones urged me to appoint you; but you are no applicant; I have made up my mind to appoint Dr. Hunter.'

"Mr. Beach (C. Nichols) testified, that he is a nephew, by marriage, of the Secretary of the Navy; that he was on intimate relations with him; that he was in Washington when the arrangement of the appointment of Dr. Hunter was made; that he was himself an applicant for the office; that he conversed with Mr. Jones about it; that he knew that the emoluments of the office were to be divided up among these parties; and that it was a matter of general rumor in Washington, before and at the time of the appointment; that he talked with the Secretary about the appointment of Dr. Hunter and that the Secretary informed him that, as the application was a Pennsylvania one, he would defer to the wish of the President.

"It is to be remarked that, by law, *the President has nothing to do with the purchase of coal.* The only power in the matter is conferred by law upon the Secretary; yet it appears from the testimony, and the Secretary's admission to Beach, *that the power was yielded to the President.*

"In pursuance of the arrangement, Dr. [illegible] appointed coal agent; Smith received the commission from the Navy Department, took it to Dr. Hunter at Reading, and narrated to him the arrangement, to which Hunter agreed. Getz subsequently declined to share in the profits, because, as he says, the arrangement was distasteful to him.

"Dr. Hunter had been for years, was then, and still is, a practicing physician in Reading. He had never purchased coal for sale; he did not know its market value; took no pains to ascertain it; did not purchase any coal for the Government, or do any act in the performance of his duty, except to sign formal papers sent to him by Tyler, Stone, & Co., certifying that a specific quantity of coal, of the best quality, had been duly inspected and weighed by him, and shipped on board a named vessel. These papers were sent to the proper bureau, and *all parties knew, or ought to have known, that the certificates were false*, so far as relates to his personal knowledge of the facts certified.

"By an understanding between Hunter & Smith, the latter was to make inquiries as to selecting coal at Philadelphia; but it is manifest that he did but little in the execution of this trust. He was in the omnibus business, and had no connection with the purchase of coal.

"The coal was required at Philadelphia, and was there delivered on shipboard to the Government. Neither Hunter nor Smith saw the coal inspected, weighed, or delivered, and the whole business was turned over to Tyler, Stone, & Co. Mr. Smith testifies that he took no personal supervision of the matter, except to see that the best coals could be had, and depended upon Tyler, Stone, & Co., to inspect the coal. When the Government needed coal, a requisition was sent to Dr. Hunter, which by him was sent to Tyler, Stone & Co., who *became at once the purchasers for and the sellers to the Government.* Tyler, Stone, & Co., and Dr. Hunter, fixed the price at $3.85 per ton. The testimony of many witnesses establishes beyond a reasonable doubt, that the market value of such coal as was delivered to the Government would not exceed $3.50 per ton, and several respectable dealers would have furnished the Government at that or a less price, and then made a profit. The purchases of coal thus made for the Government, by Tyler, Stone, & Co., for the six months from the 1st July, 1858, to the 31st December, 1858, was —— tons, at a cost of $3.85 per ton. The amount of emoluments received by Dr. Hunter, and divided by him with Mr. Smith, was, for the same six months, $7,452.92, or, at the rate of $14,905.84 per annum. In addition to this direct loss, the mode of purchase adopted furnished no guarantee against fraud in the quantity or amount of coal, which, when delivered on shipboard, was not inspected by any officer of the Government.

"Your committee have furnished to the parties implicated in these transactions every opportunity to explain them. All the parties, except the President, Secretary of the Navy, and the Hon. J. Glancy Jones, have been examined. The President and the Secretary have been furnished with a copy of the testimony, and notified that any statements either of them desire to make would be heard by the committee, or that any witness desired by them would be examined. The Secretary, in his letter of Feb. 14, 1858, herewith submitted, states that the same system existed in the coal agency during the administration of his predecessor. He also states that he was not aware until the present investigation of any want of attention on the part of the coal agent."

Having made this long extract from the report we are constrained to draw our remarks on the subject to a close. But before doing so we will give a brief insight into the corrupt cooperation of the Executive and Legislative members of the Government, in the dirty business of dividing the spoils. The report shows that in the Brooklyn navy yard the control of the patronage of the establishment, down to the employment of workmen, is surrendered by the Secretary to the city members of Congress friendly to the Administration. The following letter from an "honorable" member of the House of Representatives will initiate the uninitiated into the mysteries of Tammany Hall politics. This letter is addressed by a city member to a master carpenter in the Brooklyn navy yard:

"Mr. COHANE: Mr. Cullen tells me that you are to take men on on Tuesday; now I ask you to take *him* on and the others I have asked you to take on. *I will have my proportion of men under you; if you do not give them, I will lodge charges against you.* You have turned away all the men but one from my district already. Of this I have complained to the Secretary, and now, unless you rectify this injustice *I will make application that you be turned out.* The bearer will bring me an answer.
Yours, &c., JOHN COCHRANE."

It is evident that this "honorable" office broker could, if required, tell ugly tales upon the carpenter; but we presume that the latter complied with the terms upon which he was willing to hold his peace. Is the author of such a letter a fit associate for honorable members of Congress? He would not have been thirty or forty years ago.

## SLAVERY ABOLISHED IN CUBA.

We are indebted to Mr. Benjamin for the information, that Slavery has no longer any legal existence in Cuba. He says:

"The continued supply of labor in Cuba by natural increase is impossible. It is a well-authenticated fact, that its whole laboring population is exhausted in a single generation. Horrible as is the contemplation of such a fact, the evidence in support of it is irresistible. None of the writers on the population of Cuba fix the number of its creole (*id est*, native) negroes outside of Havana at more than ten per cent., whilst a recent authority on the island, perfectly competent to judge, fixes it at only five per cent. We have, then, the fact that ninety to ninety-five per cent. of the slaves engaged in agriculture were imported Africans."

Now, Mr. Benjamin is aware, that about the year 1820, Spain entered into a treaty with England, by which she consented to the abolition of the slave trade, and agreed that all slaves imported thereafter should be free. A large portion of the negroes who are still held in servitude are recognised as coming under the provisions of this treaty, and are styled *emancipados*, if we are correctly informed; but, according to Mr. Benjamin, all the negroes on the island must be free; for he admits that the whole negro population is consumed in one generation, which one of his authorities says is but seven years; but supposing it to be twenty, there could not be a negro living who was a slave in 1820. He also states, that "*none of the writers on the population of Cuba fix the number of its creole (id est, native) negroes outside of Havana at more than ten per cent., while a recent authority on the island, competent to judge, fixes it at only five per cent.*" Mr. Benjamin admits, then, that only five per cent. of the slaves in Cuba, or at most, ten per cent., are native born; and that the remaining ninety or ninety-five per cent. are free under the treaty with England. The five per cent., or, at most, ten per cent. of slaves who were born on the island, must in the nature of things, in great part, be the children of the Africans imported since 1820, and hence they, too, are entitled to Freedom; so that only an infinitesimal fraction of the native negroes can be supposed to have descended from the negro slaves on the island before the treaty. Cuba, in a word, is a free island, by the laws of Spain, Mr. Benjamin being the authority.

The proposition to annex Cuba to the United States is therefore a proposition to re-enslave the free inhabitants of that island. Are the American people ready for this step? We think not; and so far from it, we think that a majority of the American people, should the island be annexed to the Union, will insist on a fulfilment of the conditions of the treaty. No man with a spark of justice or humanity in his bosom can tolerate the idea of this Government becoming the instrument for enslaving the free people of Cuba; and it will become the sworn duty of the Federal judges to be appointed for the island to liberate every negro on it. By all means, the laws and treaties must be faithfully executed. There will be no necessity for consulting the fraudulent registries and other pretended evidences of Freedom and Slavery. It will be all sufficient to take the Pro-Slavery authorities quoted by Mr. Benjamin, and, in the name of justice and humanity, abolish the last remnant of the infamous slave code.

MILLIONS FOR CORRUPTION AND SLAVERY, NOT A CENT FOR EDUCATION.—The President, who proposes to take the purse and the sword into his own hands, free from the control of Congress, and who superintends the business of office brokerage, is suddenly seized with another gripe of economy and constitutional construction. He has vetoed the bill donating public lands for the endowment of agricultural colleges. He wants the money for which the lands may sell, in order to wage war upon Spain, Mexico, and Central America, as well as to invest in his grand thirty million corruption fund; and, with such statesmanlike ends in view, he has no patience with measures of a purely elevating and national character. If the Morrill bill could in any way be shown to be sectional and Pro-Slavery in its character, all its objectionable features would at once vanish.

## THE ISSUES.

Senator Wade, of Ohio, in the exciting debate of Friday night, of which we insert a brief sketch, very tersely stated the watchwords of the two great parties of the country. They are, "land for the landless, and niggers for the niggerless." Mr. Toombs, as the representative of the haughty Slavery oligarchy, expressed great contempt for the "lack-landers," while he is willing to expend hundreds of millions in the acquisition of more slaves and slave territory. Let the issues be accepted, and let the watchwords pass round.

## THE REVIEW.

La Plata, the Argentine Confederation, and Paraguay, being a Narrative of the Explorations of the Tributaries of the River La Palta and adjacent Countries, during the years 1853, '54, '55, and '56, under the orders of the United States Government. By Thomas J. Page, U. S. N., Commander of the Expedition. With Map and numerous engravings. New York: Harper & Brothers. 1859. For sale by Taylor & Maury, Washington D. C.

Voyages and tours of exploration, when properly conducted, furnish us with our most reliable and accurate means of information respecting countries remote from our own. There is good reason for this. Those who are engaged in them are provided with all the means necessary for the accomplishment of their objects, the requisite instruments of measurement and observation, and for recording the results, which the mere casual traveller cannot usually possess. It is but seldom, also, that a Humboldt, combining science and tact of eliciting knowledge as well as enthusiasm and perseverance, is found among those whose private explorations are given to the world. There is, too, a degree of responsibility attached to a Government expedition, which the individual traveller cannot so fully have; so that for the greater characteristics of solid information respecting the geographical features and forms of natural development of a country comparatively little known, such volumes as the one before us must be the source whence we may hope to draw our materials of acquaintance with the general state of its surface, elements of prosperity, and means of advancement. For more private details, and the particulars of social life and manners, interesting anecdotes, and occurrences of the passing day, we of course look to the sketchy tourist or adventurer. La Plata, Paraguay, &c., is such a country; portions of it have been described by Dohrizhoffer, Faulkner, Head, and others: but still it is for the most part a region of which we have scanty knowledge. We welcome this book, therefore, and the more so, as our relations to these countries are widening by commerce, and will become yet more important, doubtless, as the facilities become greater for such intercourse. Our naval expedition, too, is just at this time at the mouth of the La Plata, and we may possibly be involved in a war at a distance, with one of the nations described. Hence, all materials of information are desirable. Captain Page's work furnishes a variety of such useful information. The map, on a large scale, enables us also to understand the widely-outspread region intersected by the great river La Plata and its tributaries. The narration of the explorations is given clearly; much light is thrown on the character of the native population, the civil history and relations of the different States, the course of the streams; their magnitude and means of navigation, with the other geographical features of the countries—the products of the soil and staples of trade; while the illustrations convey a more complete idea of the curiosities, public buildings, persons of note, costumes, and manners, than we could otherwise have. The readers of Harpers' Monthly, from the instalment there furnished of the volume before it was published, will be prepared to appreciate its value, and, no doubt, will be among the most eager to possess it.

Travels and Discoveries in North and Central Africa, being a Journal of an Expedition undertaken under the auspices of Her Britannic Majesty's Government, in the years 1849—1855. By Henry Barth, Ph. D. D. C. L., Fellow of the Royal Geographical and Asiatic Societies, &c., &c. In Three Volumes. Vol. III. New York: Harper & Brothers. 1859. For sale by Taylor & Maury, Washington, D. C.

If to secure the universal approbation of those in Europe and Great Britain, as well as in our own country, who are best qualified to judge, be any evidence of the capacity by which a traveller is fitted for his task, and the ability with which he has executed it and arranged its results, it is not exaggerated praise to say that no contribution to geographical science has been made to the public for many years, so thorough and valuable as that contained in Dr. Barth's three volumes here before us, containing, we believe, the whole work, which is embraced, if we mistake not, in five volumes of the German edition. We have had no opportunity to compare the originals in the German or English editions; but for the price, certainly, the American is not behind them. This has been effected, as we have an impression, by the omission of some expensive colored engravings. We have not seen the earlier volumes, and are therefore uncertain as to the number and variety of the maps; but this volume contains numerous well-executed wood-cuts, relating to the people, their buildings, as well as the natural scenery that came under the traveller's notice. Dr. Barth was singularly fitted for his enterprise, and associated with him, too, was the lamented Overweg, each with his individual peculiarities of observation. They visited a region respecting which previously but indistinct knowledge had been furnished. Resident for a long time in the principal places, having every means for examination, and prosecuting his inquiries with the utmost diligence, the amount of materials collected, and the scientific exhibition made of them, is of the highest importance. Compared with Dr. Livingstone's Travels in Southern Africa, Dr. Barth's researches are less home-bred, hearty, and racy. They partake of that thoroughly national scientific character which belongs to his countrymen. The former fully-accredited sources of information, perhaps will more command the popular applause of the general of readers; while the latter will be a standard authority treasured, up among the archives of discovery, with those of the most celebrated investigators of former or present days. For the first time, as we may say, the vast almost unknown region is laid open, questions of scientific interest settled, and a new form given to the geography and annals of Northern and Central Africa. The volume before us is the closing one. It opens with Dr. Barth's departure for Timbuktu, after the death of Dr. Overweg, and unfolds to us the state of the country in different districts and cities visited by him, up to his return to Europe. It is accompanied by a most valuable appendix, embracing sixteen topics, in which are condensed a great amount of varied information as to the tribes and families, the literature, history, &c., of different nations mentioned. We cannot even glance at the full table of contents of the book. Our readers must examine, and that with no hasty steps, the ground he has gone over, to appreciate its true character. It has also a full index in his pen, requisite in such a book.

Lives of the Queens of Scotland and the English Princesses connected with the regal succession of Great Britain. By Agnes Strickland, author of "Lives of the Queens of England." Vol. VIII. New York: Harper & Brothers. 1859. For sale by Taylor & Maury, Washington, D. C.

This volume forms the second one of Miss Strickland's life of Mary of Queen of Scots, whose defence is undertaken with an enthusiasm that perhaps must modify our estimate of her judgment in the case. She sets out with a strong bias, and so while undoubtedly successful in disproving much, yet we feel as we read there is wanting the sober, cool weighing of causes, effects, probabilities, and circumstances, which belongs to the impartial historian. By her research, she has thrown much light on events and transactions before obscure. A mass of materials has been gathered from State papers and private records, before or till quite recently unknown, and thus some things most unfavorable to the character of Scotland's Queen Mary have been explained. But the danger in such cases ever is, that in the refutation of what is unjust, assumptions are made as from the other extreme; and so that true estimate, which, occupying the middle ground, regards the character as a whole, influenced by various motives, is lost sight of. Mary had her weaknesses, her foibles, her graver faults; and whether or not the darker suspicions which gathered over her be dissipated, yet her life and her character must have received an impress from the times in which she and the persons among whom she moved lived, that must be allowed in the judgment we form of her, and her public and private relations in the history of that age. Miss Strickland's work is one of the many books to which recourse may and ought to be had in forming that judgment; but, though written in a most pleasing style, full of incident and information, it is a generous woman's appeal in behalf of one of her own sex, unwilling to see or admit aught unfavorable in the subject of her vindication, and so we think it needs to be read as one reads the defence of an advocate for an arraigned criminal, whom he is bound at all events to clear of every accusation, and to make appear the wholly wronged and deeply injured. No one, however, can peruse her volumes without feeling her power of earnest effort, or lay down the book and not be glad he has seen it.

The Old Plantation, and What I Gathered there in an Autumn. By James Hungerford, of Maryland. New York: Harper & Brothers. 1859. For sale by Taylor & Maury, Washington, D. C.

A sketchy volume describing plantation life, with its peculiarities, personages, legendary lore, love-scenes, excursions, ghost-stories, haunted houses, duels, happy meeting, "disposal of characters," and "glance into after-times." Is it true or fiction? Is the name a real one, or assumed? The dedication to an "aged mother" would seem to imply the former, and there is nothing in the story or successive scenes to invalidate it. Still, we do not know. Without any high pretensions, it is a very fair picture of life, as we may suppose it, coming out from the recollection of past years. It is discursive; the persons mentioned are numerous, and there is no strained attempt to portray something extraordinary, but an easy running on of the pen, as though taking down conversations, many of them, of course, of lower life, and the pleasures of the unbent intercourse of friends in the country, enjoying autumn days and evenings. Such a book's lets us into phases of society that must be seen where they occur to be fully understood, but we doubt not that the novelty itself will be amusing, and may be instructive to many of the readers of this volume, as we here find it.

The Edinburgh Review for January, 1859. Leonard Scott & Co.'s Reprint.

We always find something in the *Edinburgh Review* to repay for its perusal. If all the articles are not always equally attractive, yet some one or more may be found adapted to the reader in general literature full of information, as well as written in excellent taste. It is so with the present number. We have been able but to glance over several of the papers since we received it; but even so cursory an examination has satisfied us that the topics are of interest, and ably discussed. The titles of the articles are,

I. "Help's Spanish Conquest in America;" giving a good summary of the work, which is highly commended.

II. "Life Assurance;" full of statistics, and exhibition of the principles of calculation, &c.

III. "The Church Rate Question;" a subject more strictly belonging to England than our country.

IV. "The Roman Catacombs;" a most readable paper, and with not a little curious matter.

V. "The Hudson Bay Territory;" respecting a region comparatively unknown yet, on our borders, and giving a history of the Company and its operations.

VI. "Lord Liverpool's Administration until 1822;" historical and political.

VII. "The Library of the British Museum;" a treat for bibliopoles, so far as it goes.

VIII. "Life and Organization;" devoted partially to a discussion of the theories on this subject.

IX. "History and Prospects of Parliamentary Reform;" indicated by its title and the well-known proclivities of the Review.

Eclectic Magazine for March, 1859.

Well done, Mr. Bidwell! Two Empresses, Maria Theresa of Austria, and Eugenie of France, to begin with—both excellent mezzotints of Sartain.

And what have we here of literary attractions? Twenty-seven articles. Of course, we cannot enumerate all; so we will mention a few of what seem to us the best: "Horace and his Translations;" "The City of Halicarnassus," continued; "The Physical Description of the Universe;" "The Music of Anastasia;" "The History of the Romans under the Empire;" (Merivale's;) "False Morality of Lady Novelists;" "Review of Dr. Trench's Discourses."

If, then, we can have Cuba only on the terms of taking her as a free State, with a free-negro population of at least 700,000, we repeat it, we believe, in all sincerity, that $120,000,000 may be much more profitably invested than in the purchase of the island.—*Richmond (Va.) Enquirer.*

The Richmond *Enquirer* says that "Mr. Buchanan was pioneered into the Presidency through the previous success of Governor Wise."

## WASHINGTON ITEMS.

From the National Intelligencer of February 28.

DEPLORABLE OCCURRENCE.

Our community was yesterday afternoon thrown into a state of painful excitement and regret by the reports of an encounter and resulting homicide, which took place about two o'clock, in the First Ward, at the corner of Pennsylvania avenue and the east side of Lafayette Square. The parties were Philip Barton Key, Esq., United States District Attorney for the District of Columbia, and the Hon. Daniel E. Sickles, a Representative in Congress, from the city of New York. The meeting ended in the killing of Mr. Key by Mr. Sickles, the former having lived but a very short time after receiving three shots from a revolver.

The provocative to this dreadful affair is disclosed in the testimony of Mr. Butterworth, of New York, before Justice Goddard, the Chief of Police. He states that about the time above mentioned he met Mr. Sickles on Pennsylvania avenue, a little eastward of the corner of Lafayette Square, and nearly opposite the State Department. He had a few words of conversation with Mr. Sickles, who left him as Mr. Key approached, the latter coming down the avenue towards the State Department. They met at the corner of Lafayette Square, when Mr. Key extended his hand towards Mr. Sickles, saying, "How are you?" Mr. Sickles refused to take his proffered hand, saying, "You have dishonored my home and my family," and applying to him some epithet. Mr. Key immediately put his hand in his side pocket, for the purpose, as the witness supposed, of drawing a weapon, and Mr. Sickles at the same time put his hand into his skirt pocket, from which he drew a pistol. As Mr. Key raised his hand to throw at Mr. Sickles the article he took out of his pocket, (which proved to be an opera glass,) Mr. Sickles fired his pistol and shot Mr. Key. The latter staggered a little back, but rallied, and made at Mr. Sickles, who, stepping a few feet backward, fired a second shot into the body of Mr. Key, who then reeled back towards Mr. Maynard's house, with one hand on the railing and one knee on the pavement, exclaiming, "you have shot me," and then crying "murder." Mr. Sickles then fired a third shot into the body of Mr. Key, and left him, after which Mr. Key was conveyed to the "Club-House," close at hand, where he expired in a few minutes.

We learn, in addition to the above, that immediately after firing the third time, Mr. Sickles proceeded to the residence of Judge Black, which is in that neighborhood, and to which place he was followed by several police officers, whom he afterwards requested to accompany him to his own residence, that he might make some necessary arrangements preparatory to surrendering himself to the Chief of Police. The officers having complied with his wishes, the Mayor and Chief of Police were soon in attendance, and after a brief examination, Justice Goddard having declined to take bail in so serious a case, Mr. Sickles was committed to prison for a further examination.

The "22d" was celebrated in Washington by a military parade. The Shields Guards came on from Baltimore, and were reviewed by Gen. Shields. The day was also appropriately celebrated at Georgetown college. We have accounts, also, of handsome celebrations in Boston, New York, Baltimore, Richmond, &c.. &c.

FROM WASHINGTON—CAPTURE OF A SLAVER.—The Navy Department on Friday received a dispatch from Lieut. Braine, commanding the ship Vincennes, dated Norfolk, in which he stated that he has captured the slaver Julia Dean on the coast of Africa, and brought her into that port. Augustus Freyerau, represented as a passenger on board the Dean, died on the passage to the United States, previously requesting that his effects be sent to his wife at Havana. He is supposed to have been the captain of the vessel, on board of which is supposed to be a great deal of treasure.

The Navy Department this morning sent orders to Lieut. Braine to turn over the hands on board of the vessel to the Marshal for trial. It is supposed that the Dean is owned in Charleston.

The Vincennes has been ordered to be examined, as it is supposed she was injured by having struck a reef.

THE GULF.—The rumor that all the available naval force, including the Vincennes, has been ordered to the Gulf, seems to be strengthened by the remark made in the House on Friday, by the chairman of Committee of Ways and Means, that this American sea, as he termed it, belongs to us, and that we will and must exercise control over it. The next arrival from Mexico will, it is anticipated, bring highly important intelligence in connection with the French and English fleets, and requiring a larger American naval force than heretofore in that quarter.

## POLITICAL INTELLIGENCE.

Mr. Clark, of the first Congressional district of Connecticut, and a member of the present House, regards himself as cheated out of a nomination, and will run for the next Congress as a people's candidate. Mr. Clark has been induced by many of his constituents to take this stand, and has given his reasons at great length.

Mr. Clark has never exhibited any general sympathy for the Republican party, and his Republican constituents acted naturally in setting him aside for a more reliable man.

New Hampshire holds her annual election on Tuesday, March 8. The rival candidates for Congress, with the vote of their respective districts two years ago, are as follows:

| | |
|---|---|
| *Republican.* | |
| First district, Gilman Marston | 12,242 |
| Second district, Mason W. Tappan | 10,685 |
| Third district, Thomas M. Edwards | 10,983 |
| *Democratic.* | |
| First district, Daniel Maley | 11,206 |
| Second district, John H. George | 9,180 |
| Third district, William Burns | 9,841 |

The nominations for Congress in Connecticut are complete; the rival candidates, with the vote of their respective districts last year, are as follows:

| | |
|---|---|
| *Republican.* | |
| First district, Dwight Loomis | 9,313 |
| Second district, John Woodruff | 9,399 |
| Third district, Alfred A. Burnham | 7,645 |
| Fourth district, Orris S. Ferry | 9,250 |
| *Democratic.* | |
| First district, James T. Pratt | 9,036 |
| Second district, Samuel Arnold* | 9,450 |
| Third district, Rufus L. Baker | 5,721 |
| Fourth district, William D. Bishop* | 9,342 |

* Members of the present House.

John Goode, jun., Esq., Buchanan elector for the sixth Congressional district of Virginia in 1856, in a recent publication in the Bedford (Virginia) *Democrat*, speaking of the Hon. Paulus Powell, says: "I had hoped that he would take occasion, as one of the representatives of the Virginia Democracy, to discuss, without fear, favor, or affection, the extraordinary recommendations contained in President Buchanan's last annual message to Congress, and to expose the abominable Federal heresies which have lately marked the policy of this Democratic Administration."

Chief Justice Taney, with all his mistakes and misdeeds, occasionally utters a very sound political "opinion." The Thirty Million Cuba bill, it is said, he pronounces to be "atrocious." *Frankfort Commonwealth.*

A SCENE IN THE ILLINOIS LEGISLATURE.—*St. Louis, Feb.* 24.—At Springfield, yesterday, as the Governor's private secretary entered the hall to read the apportionment bill veto, a scene ensued. The Democrats attempted to drown his voice with cries of order, but he concluded, and gave the veto to a page. It was snatched from the boy, and passed through various hands. A Republican member secured it, and laid the veto on Speaker Morrison's table. The latter knocked it off with his gavel; and ordered the Doorkeeper to take that man out, (meaning the private secretary.) He decided, that no quorum being present, the House could not receive messages. Only four Republicans were present. Both Houses adjourned *sine die.*

CHICAGO MUNICIPAL POLITICS.—*Chicago, Feb.* 24.—The Republican Convention to-day nominated John C. Haines, the present Mayor, for re-election.

Marcus D. Gilman is the Democratic candidate.

The *Southern Citizen* says: "Such is the harmony of the Democretic party! On every question, *save one*, they are two well-defined and very hostile parties. That *one* question is pub-

lic plunder. It is a great principle which has maintained the harmony of the party long enough; but it bursts at last. The Democratic party, from this day, goes straight to dissolution, and the 'Union' after it."

## THIRTY-FIFTH CONGRESS, Second Session.

*Thursday, February 24, 1859.*

SENATE.

The post route bill being taken up in Committee of the Whole, Mr. Yulee offered his amendment, abolishing the franking privilege, and providing for furnishing members of Congress with stamps in lieu thereof to the amount of $150. The right of franking documents is reserved to the Postmaster General, his First Assistant and Chief Clerk, and to the Auditor of the Post Office Department and his Chief Clerk, and to certain ex-Presidents of the United States; and other special cases are provided for by enactment. The amendment increases the rates of postage from three to five cents for distances under 3,000 miles, and to ten cents for over that distance. For double and treble letters the amount is proportionally increased. The rates for drop and advertised letters are the same. For newspapers, the amount for transient papers in the United States is one cent. Papers are entitled to free delivery, in the county where published, to actual subscribers.

The section provides that printed envelopes and wrappers for Government documents be furnished by the Washington City post office, and the said postage to be charged to the particular Department forwarding the same.

The third section provides that all matter received at the Department and by members of Congress, unpaid, shall be charged to the said Department receiving the same, or the appropriate branch of Congress.

The fourth section provides that all mail matter shall be weighed in bulk, and charged at the rate of five cents per ounce for letters, and 12 cents per pound for printed matter, and that none of the above provisions shall apply to the transportation or charge for mail matter for the Government, except such as shall be received or sent from the post office in Washington, D. C.

Mr. Yulee then proceeded at length to explain the provisions of the bill and amendments, as reported. He did not promise to make the Department a self-sustaining one, but pointed out where the expenditures might be greatly reduced. He thought that some of the Pacific mail service ought to be paid for out of the Treasury specially. The committee propose to make, in this bill, a compromise between the acts of 1845 and 1851, regarding the license of the rates of postage. Since the passage of the act of 1851, there had not been an increase in the revenues of the Department commensurate with the increasing population of the country.

Messrs. Dixon, Mason, Hale, Iverson, and others, then addressed the Senate.

Mr. Iverson, in the course of his remarks, read a curious document, showing how many of his speeches each Senator had folded and mailed from the Senate's folding-room at the expense of the public. They were folded, mailed, and franked, but not printed, at the public charge.

The reporter could not obtain access to the document; hence, there may be a few inaccuracies in the figures, but the following statement is in the main correct:

Mr. Allen sent 300; Mr. Bates, none; Mr. Bell, 7,000; Mr. Benjamin, 11,000; Mr. Bigler, 54,000; Mr. Bright, 15,000; Mr. Broderick, 18,000; Mr. Brown, 18,000; Mr. Cameron, 10,000; Mr. Chandler, 214,000; Mr. Chesnut, none; Mr. Clark, 51,500; Mr. Clay, 11,500; Mr. Clingman, 21,500; Mr. Collamer, 3,000; Mr. Crittenden, 10,000; Mr. Davis, 6,000; Mr. Doolittle, 4,000; Mr. Douglas, 345,000; Mr. Durkee, 6,500; Mr. Fessenden, 14,500; Mr. Fitch, 11,000; Mr. Fitzpatrick, 1,500; Mr. Foot, 2,000; Mr. Foster, 7,000; Mr. Green, 12,000; Mr. Gwin, 19,500; Mr. Hale, 14,000; Mr. Hamlin, 10,000; Mr. Harlan, 10,000; Mr. Houston, 5,000; Mr. Hunter, 2,000; Mr. Iverson, 3,000; Mr. Johnson, of Arkansas, 8,000; Mr. Johnson, of Tennessee, 11,000; Mr. Jones, 4,000; Mr. Kennedy, 5,000; Mr. King, 19,000; Mr. Mallory, 6,000; Mr. Mason, 2,000; Mr. Pearce, 6,000; Mr. Polk, 15,000; Mr. Pugh, 4,000; Mr. Reid, 1,000; Mr. Rice, 4,000; Mr. Sebastian, 2,000; Mr. Seward, 81,000; Mr. Shields, none; Mr. Simmons, 2,500; Mr. Slidell, 8,000; Mr. Stuart, 49,000; Mr. Sumner, 1,000; Mr. Thompson, of Kentucky, none; Mr. Thomson, of New Jersey, 1,000; Mr. Toombs, 2,000; Mr. Trumbull, 40,000; Mr. Wade, 2,000; Mr. Ward, none; Mr. Wright, 7,000; Mr. Yulee, 2,000.

Messrs. Mason, Toombs, Cameron, Hale, Reid, Fessenden, Smith, and others, spoke in favor of the total abolition of the franking privilege.

Messrs. Davis, Iverson, and others, favored this in a modified shape.

Mr. Houston would retain the franking privilege, but raise the rates of postage.

Mr. Hale moved an amendment, providing that from the 1st of July, franking, as a personal privilege, shall be abolished, and that persons now entitled to frank shall receive their mail matter free. Lost by yeas 19, nays 27.

Mr. Davis moved an amendment, that franking, excepting to specially privileged persons, shall be abolished, and that the laws which require prepayment shall be repealed. Lost by yeas 18, nays 26.

Mr. Trumbull moved to strike out the clause which retains the franking privilege to Ex-Presidents. Lost.

Mr. Hale moved to strike out the franking privilege from the Post Office. Carried by yeas 18, nays 16.

Mr. Collamer moved to insert a clause to repeal so much of the acts of March, 1847, and March, 1851, as make appropriation to defray the expenses of the franking privilege. Agreed to.

Mr. Fitzpatrick moved to strike out the clause which restricts the Postmaster General to contracting for the conveyance of mails, not passengers. Lost by yeas 15, nays 26.

Mr. Pearce moved an amendment, that no new routes be established, unless they will pay expenses. Lost by yeas 3, nays 35.

Mr. Gwin moved to strike out the clause that limits the pay of postmasters to box rents. Lost by yeas 15, nays 22.

Mr. Wilson moved an amendment, that letter postage be three cents for distances under and five cents for distances over twenty-five hundred miles. Lost by yeas 16, nays 24.

Mr. King moved an amendment, that letter postage for all distances within the United States be the uniform rate of three cents. Lost by yeas 18, nays 31.

The Committee's amendments were then carried.

The bill was then reported to the Senate and read a third time; but the yeas and nays being called upon its passage, no quorum was found to be present.

*Yeas*—Messrs. Benjamin, Broderick, Brown, Clay, Fitch, Hunter, Iverson, Johnson of Tennessee, Johnson of Arkansas, Mason, Reid, Sebastian, Shields, Slidell, Toombs, Ward, and Yulee—17.

*Nays*—Messrs. Chandler, Clark, Doolittle, Douglas, Foot, Foster, Gwin, Hale, Harlan, King, Lane, Seward, Smith, Trumbull, and Wilson—15.

After considerable delay in trying to come to an agreement to adjourn, Mr. Brown moved a call of the Senate, and the Sergeant-at-arms was sent to summon the absentees. Arrangement, however, was made, that a vote be taken upon the bill to-morrow, without debate.

The Senate then, at 11 o'clock, adjourned.

HOUSE.

The Post Office appropriation bill was taken up.

The question was taken upon concurring in the amendment reported from the Committee of the Whole on the state of the Union, providing that the contract with Butterfield & Co., for carrying the overland mail, shall be so construed as to allow them to carry it by any route they may select, according to the act of Congress under which said contract purports to be made; and it was negatived—99 against 102.

The proviso that the advertisements of the mail route proposals shall be published in two newspapers only, in each State and Territory, having the largest circulation, was rejected—91 against 104.

The amendment to the appropriation ($80,000) for printing the blanks, that they shall be given to the lowest responsible bidder, was adopted—yeas 114, nays not counted.

The wrapping paper is to be furnished in the same way.

Among other amendments adopted, was one providing that all sums heretofore appropriated to the erection of Post Office buildings, which shall remain in the Treasury unexpended at the close of the present fiscal year, are hereby reappropriated for those objects.

The bill was rejected by 86 against 119.

Mr. Bocock, from the select committee to examine into the alleged naval contracts and frauds, presented a report from the majority of the committee.

The resolutions appended thereto say:

1. That the testimony proves the existence of glaring abuses in the Brooklyn navy yard, requiring the interposition of legislative reform. They have been growing up for a long series of years.

2. The coal agency is in the hands of incompetent persons, and reform is needed in the regulations on the subject, but there is no evidence to show that this incompetency and inefficiency came to the knowledge of the authorities at Washington.

3. In all the Secretary of the Navy did, in regard to contracts for live oak, he kept in view the good of the public and the interest of the service.

4. In letting the contracts for the machinery of the seven sloops of war, the Secretary has displayed laudable zeal to secure the greatest amount of speed and efficiency.

Messrs. Sherman of Ohio, and Ritchie of Pennsylvania, join in a report and resolutions. [These are given in full in another part of this paper.] Mr. Sherman also reported a bill to regulate the navy yards and docks, and for other purposes.

The consideration of the report was postponed till Monday, and the naval appropriation bill taken up in Committee of the Whole on the state of the Union.

Mr. Millson, of Virginia, argued against protection. He said there was no necessity for an alteration of the tariff, and defended the appropriations for the navy.

Mr. Howard, of Michigan, contended that it is impossible to raise $56,000,000 from the present tariff. He favored a discriminating tariff for protection.

Mr. Curry, of Alabama, insisted that we must equalize our revenue and expenditure. There were retrenchment and economy on one side, and enormous taxes on the other; and no American statesmen should hesitate to select the former.

Mr. Nichols, of Ohio, avowed himself in favor of free trade and direct taxation. Our present evils arise not from the tariff bills, but from legislation here stimulating speculation.

Mr. Kunkle argued in favor of specific duties, and that a protective tariff was the best revenue tariff.

Mr. Vallandigham contended that all interests should be regarded in making a tariff. He was not a friend of the tariff of 1857, which he regarded as a manufacturers' tariff, and highly protective at that—sacrificing the interests of the producer.

Mr. Thayer pointed out the confusion that existed in the Democratic party, and contended that the Republican party was highly national.

Mr. Bliss, of Ohio, advocated a tariff revision and specific duties for revenue purposes only.

Mr. Reagan, of Texas, advocated a bill to reimburse Texas for money expended by her for the suppression of Indian hostilities.

Mr. Boyce, of South Carolina, spoke against a modification of the tariff, but for a reduction of expenditures, and for making the Post Office Department self-sustaining, to bring the expenditures within the receipts.

Mr. Granger, of New York, spoke for the protection of the manufacturing interest, and thereby benefiting all classes.

Several other speeches were made.

The House then adjourned.

*Friday, February 25, 1859.*

SENATE.

The post-route bill was put to a vote, and passed—yeas 30, nays 25.

An ineffectual attempt was made by Mr. Doolittle to obtain a vote on the homestead bill.

The Cuban bill was taken up.

Mr. Wilson offered the following amendment:

Whereas reciprocal commercial intercourse among nations promotes mutual prosperity, and is the surest guarantee of permanent peace; and

Whereas it is not the policy of the United States to despoil any nation of her possessions, however rich or valuable, but to cultivate with all nations the most friendly and unrestricted commercial relations; and

Whereas the unfriendly policy adopted by Spain against the trade and commerce of the United States with the island of Cuba, forcing the adoption of a similar policy by the United States towards herself, impairs the benefits which would otherwise result to both nations from the trade and commerce between the United States and Cuba; and

Whereas a treaty negotiation for the removal of all illiberal and unjust restrictions upon trade and commercial intercourse between this country and the island of Cuba, and every nation upon this continent, is most desirable: therefore,

*Be it enacted*, That the President be authorized and requested to open negotiations with Spain, and the nations south of us on this continent, for the removal of all unjust and illiberal restrictions on trade and commerce between them and their dependencies and the United States; and, to defray the necessary expenses of such negotiation, the sum of $50,000 is hereby appropriated.

Mr. Mallory proceeded with his remarks, commenced some days since. He cited the policy of Jefferson, who said if we were justified in going to war for the acquisition of any territory, it would be for Cuba. He reviewed the commercial advantages to be derived from the acquisition, and contended that if Cuba were annexed, the slave trade would be completely destroyed. That trade was fostered by the Captain General, as Mr. Mallory showed by a minute and interesting statement, how it was carried on, from the purchase of the slave ship to the landing of the slaves, under permits, at three ounces per head. The Creole population are, he said, opposed to the trade. Mr. Mallory guarded himself from connecting the distracted subject of Slavery with the acquisition of Cuba.

Mr. Dixon, of Connecticut, spoke for two hours, replying to the points of Mr. Benjamin's recent speech. Mr. Benjamin had urged, he said, that unless we acquire Cuba, Spain will emancipate the negroes. Mr. Dixon reasoned, that if negro freedom in Cuba would be injurious to the United States, in Jamaica it must be equally so; yet it is not used as an argument to buy Jamaica from Great Britain. Mr. Benjamin had reasoned that compulsory labor was necessary to develop tropical production; but Mr. Dixon thought that the sugar for the world be grown by free labor; and if it could not, sugar was not a sufficient equivalent for the perpetuation of Slavery. In the course of his remarks, Mr. Dixon had occasion to say that Slavery degrades free labor.

Mr. Reid controverted this opinion, and said the doctrine was new in the South. He maintained that the white man was not degraded by labor, although he worked at the bench, or in a field, side by side with his slave.

Mr. Dixon refused to admit the correctness of this assertion as an exposition of the general Southern feeling.

Mr. Bell traced the rise and progress of the filibuster spirit, until it culminated in the Ostend manifesto, and became reflected in this Cuban bill. Both were in a form offensive to Spain. No nation would be apt to receive kindly an offer made to purchase its territory, when accompanied by a studied reminder of its fallen fortunes. His (Mr. Bell's) opinion was, that the Ostend manifesto and the present proposal were framed on the perfect knowledge that Cuba could not be acquired, and that they were addressed to what is supposed to be the dominant traits in our national character. The committee's report is skillfully drawn up. It promises to extend the trade and commerce of the North, the peculiar industry of the South, and the agriculture of the West. It is framed to habituate the country to the cry of "war," but we are making no preparation for war. On the contrary, we are trying to get along without a revenue. For himself, he would favor our acquiring control of the island, either as a protectorate or independent Power; but he likewise held that the time has not yet come when its possession was necessary either to our development or security. We are not now in position to accept Cuba, if Spain should offer it as a gift. We cannot accept it until we have built up a navy of sufficient strength to maintain it. The first blow that would be struck in a war with a naval Power would be to wrest it from us, and hold its harbors as a means of annoyance against us. The committee's promise that the acquisition of the island will give us the monopoly of sugar is equally fallacious. The increasing production of that article would soon create its production throughout the whole temperate zone. Neither is it true, as the committee says, that when a nation ceases growth, its decadence commences. History does not teach this doctrine of expansion, nor is there any parallelism between the growth of a nation and an individual man. Are our internal affairs so perfectly organized as to leave no range to our ambition? Has even the question of currency been placed on a satisfactory basis? Is our great internal domain reduced to such narrow limits as to afford no scope to our energies? Our territory is now greater than the whole area of the Roman Empire. All this we are bound to protect and defend; and to defend the accessible points of our extended frontier would require 100,000 men, with at least 250 war steamers. The chairman of the Naval Committee says our whole guns are 1,100. The French navy alone has 15,000 cannon afloat, with 500 ships, of which half are war steamers. We are not now prepared for such a war; and yet the President announced, on a recent occasion, that our policy henceforth is expansion.

Mr. Kennedy, of Maryland, addressed the Senate, arguing that the acquisition of Cuba is subversive of the best interests of the South. Referring to the aspect of our domestic affairs, he considered that innovations had been engrafted on the policy of this Government, which inevitably betoken its dissolution. The doctrine of State Rights did well, while we were a homogeneous people, bound together by common troubles; but that day has passed. The unbounded prosperity of this country, its fertile lands and increasing wealth, has attracted to it people from every clime. There is no common interest to bind us together. The Constitution and the Supreme Court are derided, and the Constitution threatens to be but a rope of sand, unable to bind, from having no power to punish infractions of that Constitution. He had been derided as an old Federalist, and the men who so denounced him had now on the table two bills more dangerous in consolidating power in the hands of one man than any that ever emanated from the old Federal party. They had also a bill to give away the public lands to the sweepings of European lazar houses to squat thereon, and under an easy franchise to control that Government before they know a word of our language or have one idea towards a comprehension of our institutions. Yet, while offering this extraordinary bonus to the discontented spirits of the Old World, they refuse to vote for and denounce the old soldiers' bill. How comes it, he asked, that there is such a diversity of opinion in the Democratic party, marching under one banner, and professing common principles?

He proceeded to ask how it is possible for us to hold Cuba, with but fifty-seven ships in our navy to protect the fifty Cuban harbors? Our Paraguay armada consists of canal-boats and side-wheel steamers. Have Senators reflected on the baneful effect the acquisition of Cuba would have on slave property? He remembered the opening of Alabama. Virginia has scarcely yet recovered from the effect of that exodus of her labor to localities where it would be more remunerative. With the slave trade stopped, Cuba would be a perpetual drain, and would put planters into a more unequal contest by withdrawing the labor from their cotton fields into sugar production. It is estimated that five hundred thousand slaves will be abstracted from the Southern States, and a thousand millions of capital, within five years. And if we drift into a war with England and France, we will have to maintain a contest with fifteen hundred ships on our extended coast line. These are considerations for the American people, as they will change the whole course of our policy, and inaugurate a new era of standing armies and enormous fleets. The time is also inopportune for the acquisition of that island. In conclusion, he did not admit the right to bring in a foreign nation with a foreign tongue and foreign teachings, and ignorant and incapable to understand our institutions. In his opinion, we were fast losing all those landmarks which characterized our early nationality, and were fast becoming a mere Confederation of heterogeneous States. For these and other considerations, he was opposed to the acquisition of Cuba.

Mr. Wade here moved to adjourn. Lost, by 17 to 28.

*Eight o'clock P. M.*—The Senate is rapidly filling up. The galleries are full.

Mr. Doolittle, of Wisconsin, moved to postpone the Cuba and take up the homestead bill, and proceeded to speak on the latter.

Mr. Slidell called him to order.

Mr. Doolittle insisted on his motion.

Mr. Johnson, of Tennessee, although he had for fifteen years advocated the homestead bill, asked Mr. Doolittle to withdraw his motion.

Mr. Douglas, as a friend of the homestead bill, made the same request.

Mr. Clark, of Connecticut, as a friend of the homestead bill, moved the Senate adjourn. Lost, by 17 to 30.

Mr. Trumbull asked Mr. Hunter to pledge himself not to bring forward the appropriation bills, to prevent a vote on the homstead bill.

Mr. Hunter would give no such promise.

Mr. Trumbull appealed to Mr. Johnson to stand by and press the homestead bill.

Mr. Bigler asked Mr. Trumbull, for himself and the Republicans, to name the hour at which they would vote on both measures.

Mr. Trumbull, for himself, was ready now, but could not make any pledge for his friends.

Mr. Seward said, that after nine hours' discussion on the Cuba bill, it was time to come back to the great question of the age. Two propositions now stand face to face; one is the question of land for the landless, and the other is a question of land for slaves.

Mr. Slidell here rose.

The Vice President. Will the Senator from New York yield the floor to the Senator from Louisiana?

Mr. Seward. No, sir; I do not.

Mr. Slidell called Mr. Seward to order. He was discussing the comparative merits of the two bills.

The Vice President decided that Mr. Seward was in order.

Mr. Seward went on with a few words, when Mr. Fitch appealed to the Chair to put the question of order to the Senate, with a view of stopping what threatened to be an interminable discussion.

The Vice President declined to do so.

Mr. Seward went on, saying: "It is in the Thirty-fifth Congress that the homestead bill has been put aside." He then contrasted the merits of the two bills.

Mr. Toombs said, as to "land for the landless," it carried with it some demagogical power. He despised a demagogue, but despised still more those who are driven by demagogues. What are the other side afraid of? If they do not want to give $30,000,000 to carry out a great national policy, let them say so, and not attempt to get rid of the issue by saying, "We want to give land to the landless."

Mr. Wade said the question was, land to the landless, or niggers to the niggerless. He would antagonize these issues, and carry the appeal to the country. The whole object of the Democratic party was to go round the world hunting for niggers. They could no more sustain their party without niggers, than they could a steam engine without fuel.

Mr. Fessenden took Mr. Toombs to task, and asked if the language he had used was not an imitation of the great man at the other end of the avenue, (the President,) who recently addressed an out-of-door crowd, saying none but cowards shirk this Cuban bill. He told the Senator the Republicans did not tremble nor shrink. He referred to the trial of physical endurance at the last session, and hinted that they could endure as much again. He denied that the Republicans were obstructing legitimate business, but said they were opposed to this Cuban measure, by which nothing was intended but a party result.

Mr. Seward was not in the habit of impugning the courage of any man. He believed every Senator had sufficient. He himself had enough for his own purposes. But other qualities are also necessary. There is moral courage. There is truthfulness to pledges. The President had power to carry out his pledges, and has he done so? Where is the Pacific railroad bill? where his protection? where relief to the bankrupt? Lost, sunk, sacrificed, in his attempts to fasten Slavery on the Spanish American States. No part of the President's policy has been carried out, but it is all sacrificed to a false and pretended issue. Out of nothing, nothing is expected to come. He (Mr. Seward) had never mistaken the President's policy. He never mistook it for a giant in arms, but for a windmill with sails. Mr. Seward concluded by an energetic declaration that he is to be found on the side of Liberty everywhere and always.

Mr. Toombs replied at some length, till Mr. Johnson, of Arkansas again raised a question of order, to cut off debate.

At eleven o'clock, there was a crowded audience; half the Senators were in their seats, while the rest were reading and smoking in the ante-room.

Mr. Doolittle finally declined to withdraw his motion.

At midnight, Mr. Chandler attempted to reply to the remarks of Mr. Toombs respecting demagogues.

The Vice President ruled that he was not in order.

Mr. Fessenden appealed from the ruling of the Chair.

Mr. Mason again moved to adjourn. Lost by 20 to 30.

The appeal of Mr. Fessenden was then laid on the table.

Mr. Clark then spoke; after which, Mr. Doolittle's motion to take up the Homestead bill was voted on, and lost, by yeas 17, nays 28:

*Yeas*—Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Doolittle, Fessenden, Foote, Foster, Hale, Hamlin, Harlan, Johnson of Tennessee, King, Seward, Simmons, Trumbull, Wade and Wilson—17.

*Nays*—Messrs. Allen, Bayard, Benjamin, Bigler, Brown, Chesnut, Clay, Clingman, Douglas, Fitch, Green, Gwin, Hunter, Iverson, Johnson of Arkansas, Lane, Mallory, Mason, Polk, Pugh, Reid, Rice, Sebastian, Shields, Slidell, Toombs, Ward, and Wright—28.

Mr. Mason moved to adjourn. It was manifest that the Senate could do nothing, and he feared the American people would consider this a humiliating spectacle.

The motion lost by 20 to 30.

Mr. Brown moved to lay Mr. Wilson's bill on the table. Agreed to, by 30 to 16.

Mr. Brown then proceeded to speak on the Cuba bill. He was in favor of the acquisition of the island; peaceably if possible, but forcibly if we must. He would now move to lay the bill on the table, as a test vote, but would vote against his own motion.

The test vote was then taken, and the motion was lost by yeas 18, nays 30:

*Yeas*—Messrs. Broderick, Cameron, Chandler, Clark, Doolittle, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Kennedy, King, Seward, Simmons, Trumbull, Wade, and Wilson—18.

*Nays*—Messrs. Allen, Bayard, Benjamin, Bigler, Brown, Chesnut, Clay, Clingman, Douglas, Fitch, Fitzpatrick, Green, Grow, Hunter, Iverson, Johnson of Arkansas, Johnson of Tennessee, Lane, Mallory, Mason, Polk, Pugh, Reid, Rice, Sebastian, Shields, Slidell, Smith, Toombs, and Ward—30.

Mr. Davis paired off with Mr. Dixon, and Mr. Collamer with Mr. Wright.

On motion of Mr. Slidell, the Senate then adjourned at half past one o'clock, A. M.

HOUSE.

Mr. Hughes, of Indiana, asked leave to introduce a bill repealing the tariff of 1857, reviving the act of 1846.

Objection from both sides, amid confusion.

Mr. Hughes moved a suspension of the rules.

Mr. Morrill, of Vermont, gave notice that, should this prevail, he would offer his bill as a substitute.

Mr. Jones, of Tennessee, supposed, if the rules were suspended, the bill must have its first consideration in Committee of the Whole, where every member could offer amendments.

Mr. Hughes said, suspend the rules first, and debate afterwards.

Mr. Vallandigham gave notice of a substitute to suspend the tariff of 1857, and revive that of 1846, for two years from the 1st of July next.

The motion of Mr. Hughes to suspend the rules was negatived—85 against 94.

Mr. Phelps, of Missouri, appealed to the House to reconsider the vote by which the Post-Office appropriation bill was rejected. If this was not done, a new bill would have to be introduced.

Mr. Blair, of Missouri, moved to lay the motion to reconsider on the table. Negatived—84 against 104.

The vote was subsequently reconsidered.

Mr. Phelps, of Missouri, referred to the course of his colleague, Mr. Phillips, on the Committee of Ways and Means, saying that a vote against the bill came with a bad grace from him, considering that he was placed thereon at the instance of the friends of the Administration, and had proposed amendments to the bill, if he considered its features objectionable——

Mr. Owen Jones, of Pennsylvania, asked whether he understood Mr. Phelps to say that Executive influence had been exerted to place a member on any committee of this House?

Mr. Phelps replied, he had made no such charge. He asked Mr. Jones, "Do you consider yourself a friend of the Administration?"

Mr. Jones. I do, and am prepared to carry out the recommendation of the President. Can you say as much?

Mr. Phelps. And if you ask me whether I am prepared to carry out all that is recommended, I say no, I will not.

Mr. Montgomery, of Pennsylvania. What right have you to set yourself up to arraign the friends of the Administration? [Laughter.]

Mr. Phelps. It is not for the gentleman to complain, considering where he stands. He stands elsewhere than with the friends of the Administration.

Mr. Stanton, of Ohio, rose on the opposite side of the hall, to say something, but his words were lost in the general confusion.

Mr. Phillips, of Pennsylvania, replying to Mr. Phelps, said that the remarks of the latter could not have come from a worse quarter. Was he to be schooled here, and vote as the gentleman from Missouri wished? Did not Mr. Phelps, as the friend *par excellence* of the Administration, charge that an amendment was to be put in the bill as a rebuke to the Administration, about the success of which he was so anxious? If Mr. Phelps had any agency in having him placed on the Committee of Ways and Means, this was the first time he had heard of it. If he was so placed there that he might follow his or Executive dictation, the gentleman from Missouri had mistaken him greatly. He would rather resign his place on the committee than resign his manhood. He had voted in the committee as he thought right.

Mr. Phelps. I ask the gentleman to point out any objectionable appropriations in the bill.

Mr. Phillips. You have no right to ask me that.

Mr. Phelps. Can you put your finger on a single one?

Mr. Phillips. I can.

Mr. Phelps. Specify it.

Mr. Phillips, emphatically. I will not. You've got to take my word. I voted against the bill because I thought it ought not to pass, and will vote against it again. The gentleman alluded to me as having once belonged to his party.

Mr. Phelps. I referred to a gentleman sitting near you.

Mr. Montgomery. What does the gentleman mean by that? [Laughter.]

The Speaker was here obliged to restrain the prevailing disorder.

Mr. Phillips wanted Mr. Phelps to understand now and henceforth that he would vote as he thought right, without reference to Mr. Phelps's views, and without an attempt to relieve him from any responsibility.

Mr. Phelps explained. He did not say that he had any agency in placing Mr. Phillips on the Ways and Means Committee, but that he was placed there by the wishes and at the urgent solicitation of the friends of the Administration.

Voices. "Who are they?"

Mr. Phelps did not mean to intimate that the Speaker was at all biased in appointing the committee, but, as was usual, he had listened to suggestions. When the session commenced, and before the Committees were appointed, he remembered that rumor said that Mr. Phillips had been strongly urged for a member of the Ways and Means Committee. It had been said that the fifteen Democrats from Pennsylvania would not henceforward vote for any of the appropriation bills.

Mr. Reilly, of Pennsylvania, replied, so far as that rumor was concerned, it is untrue.

Mr. Phillips. It was never agreed to.

Mr. Ritchie, of Pennsylvania, suggested that perhaps Mr. Phillips had got into a difficulty by not knowing what is to be considered as the Administration.

After further debate, the vote by which the bill was engrossed was reconsidered, by a large majority, and the subject passed over.

The House went into Committee on the naval appropriation bill.

Mr. Sherman, of Ohio, moved to reduce the appropriation of $3,100,000 for repairs, armament, equipment, and fuel, for the steamers, and hemp, to $1,900,000, to be expended as follows: Six hundred thousand for hemp, and other materials, and a million for repairs, etc., with the proviso that not more than one thousand dollars shall be expended at any navy yard, unless the necessity of such repairs be demonstrated by a report of a board consisting of not less than three naval officers. He referred to the fact that both branches of the select committee admit gross frauds, which ought to be abolished; and such was the object of his amendment.

Mr. Phelps, of Missouri, replied, saying that, in the present condition of affairs, the navy ought not to be curtailed, and that there may be use for it in the Gulf.

Mr. Garnett, of Virginia, spoke on the subject of extravagant expenditures. He wanted the Government to feel the only way of making them economical.

Mr. Florence, of Pennsylvania, advocated the full appropriation of the proposed bill, showing that the large additions which have been made to the navy required it.

Mr. Bocock, of Virginia, argued that, instead of being reduced, the amount for coal should be increased, owing to the number of steamers afloat, including those of the Paraguay expedition. The coal agents may have been useless and incompetent; but there was no evidence before the special committee to show that there were frauds in the purchase of anthracite coal, for that article was satisfactorily and economically purchased.

Mr. Sherman read from both reports of the select committee, in proof that there were frauds in the purchase of coal.

Mr. Bocock, replying, said that Mr. Sherman had given the testimony a construction which was not just and fair.

Mr. Sherman's amendment was adopted.

Mr. Colfax, of Indiana, offered one, that the expenses of the suits against Commodore Paulding, growing out of his seizure of Walker and his followers, shall be paid out of the amount appropriated for contingent expenses of the navy.

The Chairman's decision, ruling it out of order, was sustained by ten majority.

Several other amendments were discussed for three hours.

When the time for voting came, the House found itself without a quorum, whereupon the roll was called to note the absentees.

At six o'clock, an ineffectual motion was made to adjourn.

The House was then called to secure a quorum.

A large number of members were excused for non-attendance, principally on account of sickness.

A motion was then made, that all further proceedings in regard to the call be dispensed with.

Mr. McQueen, of South Carolina, said the rules should be enforced. There was no propriety in making these proceedings a farce, especially as we were threatened with an extra session.

Mr. Florence, of Pennsylvania, hoped the Democratic absentees would be brought in, for the Republicans had, to-day, been in good attendance, and had beaten the Democratic side on every vote.

Mr. Letcher, of Virginia, moved to adjourn. He saw no necessity, after such excuses had been made, to stay here longer.

The House then refused to suspend further proceedings, and also refused to adjourn.

On motion of Mr. Stanton, the Sergeant-at-arms was directed to go and search for the absentees, and bring them in.

Mr. Moore, of Alabama, made an ineffectual motion to adjourn. He thought these proceedings nothing but a farce, and that the members present were punishing themselves only by staying here.

The Sergeant-at-arms brought in, from time to time, absentees, who were required to furnish satisfactory excuses, or pay the fees.

Frequent ineffectual motions were made to adjourn. The members are generally in a good humor.

At 8½ o'clock, wearied with the unprofitable proceedings, the House adjourned by two majority.

*Saturday, February 26, 1859.*

SENATE.

The bill making an appropriation of thirty millions of dollars "to facilitate the acquisition of Cuba" having been called up, as the unfinished business of the preceding day—

Mr. Slidell rose, and in a few remarks announced his determination to withdraw the measure from the further consideration of the Senate during the present session. He was induced to take this step, from the conviction that a longer debate of the Cuban proposition might jeopard the passage of the appropriation bills, and thus necessitate an extra session of Congress. If the opposition members of the Senate had evinced a disposition to proceed regularly with the dispatch of the public business, this alternative might not have arisen; but, as they had sought rather to obstruct than facilitate the proceedings of the Senate, he deemed it the wiser policy to postpone the Cuban bill until the opening of the next Congress, when he would press its consideration at the earliest possible day.

Some brief remarks were then made by Messrs. Fessenden, Wade, Wilson, Clark, and others, in defence of the course pursued by the Republican minority of the Senate, who, it was alleged, had merely sought to assert their right to be heard on this most important measure, and to be heard at a time and under circumstances which should be propitious to calm and deliberative debate.

The Cuban bill having been thus disposed of for the present session, the Senate proceeded to take up the bill making appropriations for the support of the army during the fiscal year ending the 30th June, 1860. This bill was discussed during the remainder of the sitting, and, after having received several amendments, was finally passed, by a vote of yeas 24, nays 16.

HOUSE.

The report of the committee of conference on the disagreeing votes of the two Houses on the Indian appropriation bill was received and agreed to.

A bill reported by Mr. Faulkner, from the Military Committee, to protect the timber growing upon lands of the United States reserved for military and other purposes, was passed.

The Post Office appropriation bill was reconsidered, on the motion of Mr. Phelps, of Missouri, and passed, by a vote of 108 to 104.

Mr. Phelps moved a suspension of the rules, to enable him to report from the Committee of Ways and Means a bill, reinstating the rate of duties imposed by the tariff act of 1846. After much discussion on points of order, and the authority of the chairman to report in the form proposed, Mr. Phelps modified his proposition so as to make the report from his committee in pursuance of the resolution adopted by it, namely, to allow the bill just named to be reported; to allow Mr. Morrill to report a substitute, providing for a loan and a modification of the tariff, and any other member of the committee to offer amendments. But the House refused to suspend the rules, by a vote of 128 to 88; not being two-thirds.

Mr. Phelps reported back the bill making appropriations for the legislative, executive, and judicial expenses of the Government.

Mr. Stephens, of Georgia, made an ineffectual motion to set apart Monday for Territorial business.

A message was received from the President of the United States, returning, with his objections, the bill of the House granting public lands to the several States for the benefit of agricultural and mechanic arts. The question was taken, whether the House would, upon reconsideration, pass the bill, and decided in the negative—yeas 105, nays 95; not two-thirds. So the measure fails.

The naval appropriation bill was further considered in Committee of the Whole, and some amendments made. The consular and diplomatic appropriation bill was further considered, and one of the Senate's amendments adopted, and others rejected. The general appropriation bill and the pension bill were also further considered. The House concurred in the work of the Committee on all these bills, except the navy bill; and adjourned at 9 o'clock.

*Monday, February 28, 1859.*

SENATE.

Among much other unimportant business, Mr. Yulee, from the Post Office Committee, reported adversely to a large number of memorials asking for the establishment of new post routes.

Mr. Pugh would take up the homestead bill, but the Senate refused, by the following vote:

*Yeas*—Messrs. Bell, Broderick, Cameron, Chandler, Clark, Dixon, Doolittle, Douglas, Fessenden, Foot, Foster, Gwin, Hamlin, Harlan, Johnson of Tennessee, Jones, King, Pugh, Rice, Seward, Shields, Simmons, Stuart, Trumbull, Wade, and Wilson—26.

*Nays*—Messrs. Allen, Bates, Bayard, Bigler, Bright, Brown, Chesnut, Clay, Clingman, Davis, Fitch, Fitzpatrick, Green, Hammond, Houston, Hunter, Iverson, Johnson of Arkansas, Mallory, Mason, Pearce, Polk, Reid, Sebastian, Thomson of New Jersey, Toombs, Ward, Wright, and Yulee—29.

Shortly after twelve o'clock, Mr. Houston arose to a personal explanation that he gave notice of a few days ago.

The post office appropriation bill was then taken up.

After much discussion, the third section was stricken out, and in lieu thereof, was inserted a section providing that the sum of $6,000,000 be appropriated from the Treasury, to meet the deficiencies of the fiscal year commencing July 1, 1859, but that the Postmaster shall in no event expend or incur any liabilities whatever over the appropriations for the current fiscal year. Adopted.

It was also agreed that the Postmaster General be required to report at the commencement of each session of Congress the routes upon which the expenses might be reduced, if the service were performed with a view solely to the transmission of the mails; and that the mail lettings shall be to the lowest bidder, having reference to the mode of conveyance, celerity, certainty, and security.

The next amendment from the Finance Committee provides that the number of route agents, express route agents, local agents, and mail messengers, shall not exceed the number employed on the 30th day of June, 1858; nor shall the whole amount paid for agents and messengers exceed the sum of $400,000.

Mr. Hunter moved to substitute $500,000; which was agreed to.

Mr. Wilson offered an amendment reducing the appropriations for advertising from $70,000 to $50,000; for mail bags from $50,000 to $40,000; for blanks, from $80,000 to $40,000; for wrapping paper, from $50,000 to $40,000.

Mr. W. stated that he had good information upon which to found a statement that at the last session the appropriation for blanks, although it was stricken out by both branches, was managed to be kept in the appropriation bill in order to give a contract of $40,000 to a newspaper editor in Pennsylvania, upon which $35,000 was clear profit, and that profit was shared with the editors of a Democratic newspaper in Washington, another newspaper in Philadelphia, and certain other politicians.

Mr. Mason called upon Mr. Wilson for the source of his information.

Mr. Wilson said Mr. Rice, the publisher of the *Pennsylvanian*, had stated it as a matter of complaint to a member of Congress this session, and furthermore stated that the President knew of the arrangement when it was made.

Mr. Cameron said he supposed these facts were well known to everybody, except, perhaps, the gentleman from Virginia, [Mr. Mason.] He presumed his colleague knew something of it.

Mr. Bigler said, whatever wrong or fault there was in this matter belonged entirely to Congress. The price of blanks was entirely too high; but the expenditure was made strictly according to law. He knew that the Public Printer had complained that he had not received this particular work, and he knew, also, that there was a contest for it; but he did not believe there was ground for these charges.

Mr. Collamer inquired if Mr. Rice was permitted to retain the whole pay for the work during the time of the contract?

Mr. Bigler knew nothing to the contrary.

Mr. Johnson, of Arkansas, was satisfied that this little matter for the blanks had sufficed to defeat the public printing bill passed by the Senate at the last session, and would vote for the reduction proposed. At the same time, he did not believe that there was any foundation for the intimation thrown out against the President and other high officers.

Mr. Cameron gave notice that he should introduce a resolution of inquiry on the subject.

The amendment offered by Mr. Wilson was agreed to.

Mr. Wilson offered an amendment providing that the contracts for stamps and stamped envelopes shall be given to the lowest bidder, after due public notice, saving the rights of contractors under existing contracts.

After discussion, the amendment was agreed to—yeas 32, nays 17.

Mr. Bell offered as an amendment the bill to abolish the franking privilege, and for other purposes, which had already passed the Senate.

Mr. Toombs moved to strike out so much as raises the rates of postage. He was in favor of increasing rates of postage; but if they insisted upon that, he was afraid it would defeat the rest.

Mr. Hamlin advocated the amendment proposed by Mr. Toombs.

Mr. Yulee said he would accept the amendment as a modification, and strike out so much of the bill as concerns the post routes and raising the rates of postage.

HOUSE.

Mr. Reagan made a personal explanation relative to a dialogue recently between himself and Mr. Bryan, his colleague, involving a question of veracity. After the colloquy had been continued some time this morning, Mr. Reagan asked whether Mr. Bryan intended to impute dishonorable motives to him. If so, then they would know where they stand.

Mr. Bryan, in reply, said, among other things, if his colleague was aggravated, he knew where he could right the wrong. He should not shelter himself under any constitutional provision of his State. He was responsible here and elsewhere for what he said.

Mr. Reagan charged his colleague with having sought to place him in the light of not being a good Southern man. But he (Reagan) had always professed to be a national man, repudiating all sectional heresies and fanaticism, whether coming from North or South. He would even resist all violations of the moral or statute law to build up political or sectional parties. He had once gone through the ordeal, and was ready again to meet the people of Texas on this issue.

Much excitement prevailed during this colloquy.

The select committee appointed at the last session to examine the account and conduct of General Cullom, former Clerk of the House, acquit him of any corrupt or dishonest doings in the discharge of his duties. They have reported the facts connected with every charge in which an investigation was asked, with attention.

In some cases, the committee thought, much care might have been exercised; but it amounted to nothing more than a failure to correct pre-existing abuses.

The House took up the naval appropriation bill, and concurred in Mr. Sherman's amendment, reducing the appropriation of $3,100,000 for repairs, armament, and equipment; fuel for steamers, to $1,900,000, &c.—yeas 122, nays 66.

The amendment striking out the appropriation for navy yards, and appropriating instead thereof, for repairs and preservation of navy yards, the following sums, viz: Portsmouth, N. H., $10,000; Boston, $15,000; New York, $20,000; Philadelphia, $15,000; Washington, $9,000; Norfolk, $20,000; Pensacola, $10,000; Mare Island, $20,000; and Sackett's Harbor, $1,000—was carried, by yeas 120, nays 62. The appropriation of $26,880 for the publication of the American Nautical Almanac was not stricken out, by yeas 77, nays [illegible]. The bill was then passed.

Mr. Phelps, of Missouri, asked leave to report a bill from the Committee of Ways and Means. If objection was made, he would move to suspend the rules.

[The bill simply provides for the reissue of Treasury notes.]

The motion to suspend the rules was lost by yeas 93, nays 108.

Mr. Phelps moved to suspend the rules, and go into Committee of the Whole. Carried.

The civil appropriation bill was taken up.

Mr. Washburn, of Wisconsin, moved to strike out the appropriation of $250,000 for the survey of the Atlantic and Gulf coast.

Mr. Miles opposed the amendment, and characterized such policy as "penny wise and pound foolish."

Mr. Blair, of Missouri, thought these surveys should be made by officers of the navy. They had plenty of time to do so; in fact, he knew there were enough off duty to perform this service.

Mr. Burnett, of Kentucky, moved that the appropriation of $350,000 for continuing the extension of the Treasury building be reduced $50,000; which amendment was agreed to.

Mr. Letcher, of Virginia, moved that the appropriation of $200,000 for continuing the work upon the Charleston custom-house be stricken out; which amendment was agreed to.

Mr. Burnett, of Kentucky, moved that the appropriation of $250,000 for the custom-house at New Orleans be stricken out; which motion was agreed to.

Mr. Craige, of North Carolina, moved that the appropriation of $40,000 for the agricultural Bureau of the Patent Office be stricken out; pending which,

Mr. Jones, of Tennessee, moved that the following proviso be added to the end of the bill:

*Provided*, That no part of the appropriation shall be used or expended in defraying the expenses of a body of men or delegates assembled in Washington or elsewhere as an Agricultural College or Advisory Board of Agriculture, convened under the authority of the Secretary of the Interior, or any other person, under any name, for any object whatever.

The question being taken, the amendment was agreed to.

The motion of Mr. Craige was then rejected—yeas 46, nays 76.

Mr. Curtis, of Iowa, moved that the appropriation of $400,000 for the Capitol extension be stricken out; pending which,

Mr. Branch, of North Carolina, moved that the appropriation be reduced to $100,000; which amendment was rejected.

Mr. Marshall, of Kentucky, moved to add a proviso, that no money should be expended in decorating the Capitol with painting or sculpture, unless the same shall be approved by the art committee authorized by the act of 1858; which amendment was not agreed to—yeas 56, nays 77.

The amendment of Mr. Curtis was then rejected.

Mr. Whiteley, of Delaware, moved to insert a paragraph appropriating $250,000 for completing the Washington aqueduct; which amendment was rejected.

Other amendments were offered, some of which were adopted, and others rejected; when finally the Committee rose, and reported the bill to the House.

Mr. Phelps, of Missouri, demanded the previous question; pending which,

Mr. Taylor, of New York, from the select committee appointed to investigate the conduct and accounts of the late Superintendent of Public Printing, submitted a report; which was ordered to be printed.

And then, at half past eleven o'clock, P. M., the House adjourned.

### CONGRESS—TUESDAY.

The Senate was engaged upon the Post Office appropriation bill.

The House passed the miscellaneous appropriation bill, and then took up the ocean-postage appropriation bill.

## FOREIGN SUMMARY.

The Latest by the Canada.—*Halifax, Feb.* 24.—The London *News* says that the pacific assurances from every quarter are neutralized by warlike preparations on the continent.

Mr. Dallas, the United States Minister, had given a dinner to Lord Lyons.

The discount market was steady, and the supply abundant.

It was reported that the Peruvian Government is about to seek in London a new loan of £10,000 sterling, redeemable within five years, and that the whole Guano revenue was being mortgaged for its repayment.

Two hundred thousand pounds sterling had arrived from Australia.

It was reported that Archbishop Cullen will be made a Cardinal, to reside at Rome.

An extensive system of fortifications along the English coast has received the sanction of the Government.

Two hundred French ships of war are now in commission in the ports of France.

Six floating batteries, to be navigated as ships, are to be constructed in France.

It is reported that Austria consents to withdraw from the Roman States, provided France does the same.

The London *Times* correspondent says the allusions to peace in Count de Morny's speech to the Legislative Corps was received with reiterated cheers.

The number of ships of war in commission at French ports was two hundred.

Cotton had advanced ⅛ per lb. Flour and wheat dull. Beef closed firm.

There was a great diversity of opinion, and it was believed that hostilities will commence before the end of the year.

In the lower Chambers, the question was asked, if the Government knew anything of the bill presented in the United States Congress, relating to the purchase of Cuba, and if it would communicate any correspondence with England on the subject.

The Minister of Finance replied, that he could not answer without consulting his colleagues.

It was stated that the Russian army will shortly be concentrated on the Austrian-Gallican frontier, and that the tone of the Russian journals towards Austria is daily becoming more severe.

It was reported that the populace at Herat had expelled the English Commissioner.

The China and India mails are on board the steamer Canada.

The Governor General of India had issued a proclamation disarming the whole of Upper India.

Small fortifications will be erected at every station in the Northwest, so as to render the seizure of the treasure simultaneous, and the massacre of Europeans difficult and dangerous. The rebels are hopelessly subdued.

The ship Alert, from Hong Kong for Shanghai, was wrecked near Formosa, in October. The chief and second mates, and ten of the crew, were drowned.

Three Days Later from Europe.—*New York, March* 1.—The steamer City of Baltimore, from Liverpool on the 16th, arrived here last night. The Europa arrived at Liverpool on the 14th.

The Continental war question was in about the same position as per last advices.

The English Government refuses to grant an unconditional guarantee to the Atlantic Telegraph Company.

The House of Lords had debated the right of search question. Lord Malmesbury said a code of instructions for the suppression of the slave trade had been agreed to by England and France, and submitted to the United States.

The Paris bourse had been comparatively steady, but on the 15th it declined ⅝.

It was reported that, in the event of a war, Napoleon was preparing to take the field in person.

An official article, in a Vienna paper, says that Austria is quite willing to take, as a basis for diplomatic discussion on the Italian question, whatever may be agreed upon by the Western Powers.

*Liverpool Markets, February* 15.—The cotton market closed quiet, and quotations were barely maintained under the European news.

Flour was dull. Wheat do. Beef steady and firm. Pork and bacon do.

*London Markets.*—Breadstuffs closed dull, but steady. Sugar closed buoyant, at an advance of 6*d.* in some cases. Coffee closed firm. Tea declined. Rice closed heavy, and all qualities slightly declined.

Consols closed, for money and account, at 95⅜ a 95½.

## DOMESTIC SUMMARY.

Missouri and Mississippi Rivers United.—The St. Joseph *Journal* of the 15th instant thus announces the arrival of the first train of cars through from Hannibal, on the Hannibal and St. Joseph railroad:

"Agreeable to expectation and announcement, both ends of the Hannibal and St. Joseph railroad were made to meet on Saturday evening last, the 12th instant, and the first train through from the Mississippi Father of Waters reached here on Sunday evening, thus uniting by iron bands the two great rivers, and drawing the great West into the middle of civilization. St. Joseph is no longer in the West; that mystic region is now somewhere in the latitude of Pike's Peak and the Rocky Mountains. The first through train brought legions of gold-seekers from the North and East, who come as the pioneers and advance guard of the thousands yet to follow."

A difficulty occurred on board the Memphis and Vicksburg packet, Victoria, between a Dr. Cameron, of Prentiss, Miss., and Ward, connected with the Butler tragedy in Louisville, and the youth whose chastisement led to the collision which resulted in the untimely death of an estimable citizen. Ward drew a pistol and fired at Cameron, the shot taking effect in and carrying away a portion of the latter's upper lip, and completely demolishing a handsome and highly-prized mustache.

Terrible Explosion—Immense Loss of Life.—*New Orleans, Feb.* 28.—The steamboat Princess, from Vicksburg for New Orleans, when near Baton Rouge, on Sunday morning, exploded her boiler, and was burned to the water's edge.

About four hundred persons were on board. About two hundred were killed or drowned, mostly Louisianians and Mississippians. Many ladies were among them.

Among the killed are J. W. Seymour, of Baton Rouge; —— Calhoun, of Marysville, Ky.; the pilot of the Princess; the assistant engineer; H. B. Murphy, of St. Louis; J. J. Hodges, of Mississippi; Charles Bannister and L. Howard, representatives at Baton Rouge; Joseph Clark, second clerk; and Samuel Watts, of Virginia.

A large number were badly injured.

A dispatch says that the engineer is reported to have declared that he would reach New Orleans at a certain time, or blow up the boat. The engineer was cut in two. About one hundred are wounded—many dangerously; some are dying.

It is impossible to ascertain the certain number of lives lost. Some were saved in boats. Numerous unrecognised bodies are being found along the shore, but no further names from the North or West have been obtained.

The Black Warrior.—*New York, Feb.* 28.—The steamer Black Warrior, ashore below the harbor, is a total wreck. Only about one-third of her cargo has been saved. The remainder, including 2,000 barrels of flour, has been lost. The vessel is heavily insured here. No steamer is yet selected to take her place.

Tremendous Conflagration.—*Boston, March* 1.—The immense warehouse No. 245 Broad street was burnt last night, together with 7,000 bales of cotton, 7,000 bags of linseed, a large quantity of saltpetre, etc. Loss about $500,000.

## MARKETS.

### BALTIMORE MARKET.

Carefully prepared to Tuesday, March 1, 1859.

| | | |
|---|---|---|
| Flour, Howard Street | $6.00 @ | 0.00 |
| Flour, City Mills | 5.75 | 5.87½ |
| Rye Flour | 4.50 | 0.00 |
| Corn Meal | 3.75 | 4.00 |
| Wheat, white | 1.50 | 1.85 |
| Wheat, red | 1.44 | 1.50 |
| Corn, white | 73 | 77 |
| Corn, Yellow | 77 | 78 |
| Rye, Pennsylvania | 90 | 00 |
| Rye, Virginia | 72 | 75 |
| Oats, Maryland and Virginia | 47 | 48 |
| Oats, Pennsylvania | 50 | 53 |
| Clover Seed | 7.12 | 7.25 |
| Timothy Seed | 2.00 | 2.25 |
| Hay, Timothy | 00.00 | 00.00 |
| Hops | 0 | 00 |
| Potatoes, Mercer | 0.00 | 0.00 |
| Bacon, Shoulders | 7¾ | 8 |
| Bacon, Sides | 9¾ | 10 |
| Bacon, Hams | 10¼ | 10½ |
| Pork, Mess | 18.50 | 00.00 |
| Pork, Prime | 13.75 | 14.00 |
| Beef, Mess | 00.00 | 00.00 |
| Lard, in barrels | 12¼ | 12½ |
| Lard, in kegs | 13½ | 14 |
| Wool, Unwashed | 00 | 00 |
| Wool, Washed | 00 | 00 |
| Wool, Pulled | 00 | 00 |
| Wool, Fleece, common | 00 | 00 |
| Wool, Fleece, fine | 00 | 00 |
| Wool, Choice Merino | 00 | 00 |
| Butter, Western, in kegs | 00 | 00 |
| Butter, Roll | 00 | 00 |
| Cheese | 00 | 00 |
| Coffee, Rio | 11 | 11½ |
| Coffee, Java | 15 | 16 |

### NEW YORK MARKET.

Carefully prepared to Tuesday, March 1, 1859.

| | | |
|---|---|---|
| Flour, State brands | $5.30 @ | 5.55 |
| Flour, State brands, extra | 6.10 | 6.25 |
| Flour, Western | 6.25 | 6.60 |
| Flour, Southern | 6.00 | 6.40 |
| Rye Flour | 3.75 | 4.30 |
| Corn Meal | 3.70 | 3.80 |
| Wheat, white | 1.65 | 1.75 |
| Wheat, red | 1.35 | 1.40 |
| Corn, white | 81 | 00 |
| Corn, yellow | 84 | 85 |
| Rye | 88 | 89 |
| Oats | 56 | 57 |
| Clover Seed | 10.50 | 00.00 |
| Timothy Seed | 2.12 | 2.25 |
| Hay | 65 | 70 |
| Hops | 15 | 18 |
| Bacon, Shoulders | 6½ | 7 |
| Bacon, Sides | 9 | 10½ |
| Bacon, Hams | 8½ | 9½ |
| Pork, Mess | 17.90 | 18.00 |
| Pork, Prime | 13.25 | 13.35 |
| Beef | 8.00 | 9.50 |
| Lard, in barrels | 11¾ | 12¼ |
| Lard, in kegs | 13 | 13⅜ |
| Butter, Western | 11 | 20 |
| Butter, State | 15 | 27 |
| Cheese | 8 | 11½ |
| Coffee, Rio | 11½ | 00 |
| Coffee, Java | 14 | 00 |
| Wool, Unwashed | 00 | 00 |
| Wool, Washed | 00 | 00 |
| Wool, Pulled | 00 | 00 |
| Wool, Fleece, common | 00 | 00 |
| Wool, Fleece, fine | 00 | 00 |
| Iron, Scotch, Pig | 29.00 | 00.00 |
| Lime, Rockland | 75 | 00 |
| Lime, common | 1.00 | 00 |

AYER'S SARSAPARILLA.

Sufferers from Scrofula and Scrofulous affections, clean up! Why wear your Pimples, Blotches, Ulcers, Sores? Why have the life twisted out of you by Dyspepsia, Rheumatism, and Gout? Why suffer Syphilitic and Mercurial diseases to rot the bones in your body, or the flesh off your bones? Why let your sluggish blood drag, and scatter its distempers through your veins? Ayer's Comp. Ex't of Sarsaparilla cures these complaints, and cleanses them out of the system. Use it faithfully, and you bring to society a healthier, cleanlier, and far more acceptable member.—*Democrat, Baltimore, Md.*

OUR MUSICAL FRIEND:

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"Our Musical Friend" is filled with the best Piano Solos, Duets, Songs, Operatic Arias, Polkas, Mazurkas, Waltzes, and every other species of musical composition for Voice and Piano, by the best American and European Composers; printed on full-sized music paper, adapted to every grade of performer.

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Yearly, $5; Half Yearly, $2.50; Quarterly, $1 25; The volume commenced on the first of December, 1858.

C. B. SEYMOUR & CO., Proprietors,
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THE HUMAN HAIR.—How many persons abuse this delicate and beautiful ornament, by burning it with *alcoholic washes* and plastering it with grease, which has no affinity for the skin and is not absorbed. *Burnett's Cocoaine*, a compound of Cocoa-nut Oil, &c. is unrivaled as a dressing for the hair—is readily absorbed, and is peculiarly adapted to its various conditions, preventing its falling off, and promoting its healthy growth.

BURNETT'S COCOAINE.
BURNETT'S COCOAINE.
BURNETT'S COCOAINE.

☞ A compound of Cocoa-nut Oil, &c., for dressing the hair. For efficacy and agreeableness, it is without an equal.

*It prevents the hair from falling off.*
*It promotes its healthy and vigorous growth.*
*It is not greasy or sticky.*
*It leaves no disagreeable odor.*
*It softens the hair when hard and dry.*
*It soothes the irritated scalp skin.*
*It affords the richest lustre.*
*It remains longest in effect.*
*It costs fifty cents for a half-pint bottle.*

BURNETT'S COCOAINE.
BURNETT'S COCOAINE.
BURNETT'S COCOAINE.

TESTIMONIAL.

Boston, *July* 19, 1857.

☞ Messrs. Burnett & Co.: I cannot refuse to state the salutary effect, in my own aggravated case, of your excellent Hair Oil—(Cocoaine.)

For many months my hair had been falling off, until I was fearful of losing it entirely. The skin upon my head became gradually more and more inflamed, so that I could not touch it without pain. This irritated condition I attributed to the use of various advertised hair washes, which I have since been told contain camphene spirit.

By the advice of my physician, to whom you had shown your process of purifying the Oil, I commenced its use the last week in June. The first application allayed the itching and irritation; in three or four days the redness and tenderness disappeared—the hair ceased to fall, and I have now a thick growth of new hair. I trust that others, similarly afflicted, will be induced to try the same remedy.

Yours, very truly, SUSAN R. POPE.

BURNETT'S COCOAINE.
BURNETT'S COCOAINE.
BURNETT'S COCOAINE.

☞ A single application renders the hair (no matter how stiff and dry,) soft and glossy for several days. It is conceded by all who have used it to be *the best and cheapest Hair Dressing in the World.*

Prepared by JOSEPH BURNETT & CO., Boston.

For sale by dealers generally, at 50 cents a bottle.

PREMATURE LOSS OF THE HAIR, which is so common now-a-days, may be entirely prevented by the use of *Burnett's Cocoaine.* It has been used in thousands of cases where the hair was coming out in handsful, and has never failed to arrest its decay, and to promote a healthy and vigorous growth. It is, at the same time, unrivalled as a dressing for the hair. A single application will render it soft and glossy for several days. 635

# WASHINGTON, D. C.

## Admission of Oregon.

### SPEECH OF HON. JOHN A. BINGHAM,

OF OHIO,

IN THE U. S. HOUSE OF REPRESENTATIVES,

February 11, 1859.

Mr. Speaker: I am constrained to oppose this bill for the admission of Oregon as a State, with the Constitution presented by the people of that Territory. I would refer the question back to that people, as proposed by the amendment of which I have given notice, and allow them without delay to frame a Constitution in conformity with the Constitution of the United States.

My opposition to this bill cannot be attributed to any mere sectional prejudice. The geographical locality of Oregon excludes any such conclusion as to myself. Oregon belongs to the Northwest—that portion of the country from which I come, and which I have the honor, in part, to represent on this floor. Nor can gentlemen attribute my hostility to this bill to the consideration that Oregon has not population equal to that required by law for a Representative in Congress. This Constitution was adopted by the people of Oregon on the 9th day of November, 1857. She had not then, in my judgment, over fifty thousand of representative population; even the Delegate from that Territory [Mr. Lane] has not ventured to say that she had then the representative number. But, sir, although Oregon had not then, and has not now, the representative ratio—certainly no more population than Kansas—I would not exclude her on that account.

It does not become gentlemen who have suspended the right of petition in Kansas by the infamous provision of the conference act, to insist that those of us on this side shall not only recognise the right in Oregon to come in with her present population, but shall grant their petition for admission, even though it asks a departure from, and an infraction of, the Constitution of the United States. There never was any enabling act passed, authorizing the people of Oregon to frame this Constitution. In my judgment, no enabling act was needful to authorize the people of Oregon to frame a Constitution and memorialize Congress for admission under it. Their right so to petition Congress is inherent, and guarantied by the Constitution. But I ask why this right should be regarded in Oregon and forbidden in Kansas? Gentlemen have no right thus to discriminate; and if they do, they cannot claim that they are the exclusive friends of free States, and of their admission into the Union. They may prate that to marines, not to old sailors. The Constitution declares that each State shall have at least one Representative in Congress, irrespective of population. Hence I conclude that the want of ninety-three thousand four hundred and twenty of population in Oregon ought not to exclude her.

Sir, the reasons which constrain me to oppose the admission of Oregon, apply irrespective of latitude or of any prevailing political sentiment among the people of the proposed State. In my judgment, sir, no Representative should inquire, upon a question of the admission of a new State, whether its locality be in the North or South, the East or West of the Republic; whether its people range themselves politically as Democrats or Republicans. I protest that no such considerations do now, or have at any time, influenced my mind upon this question. I look upon the erection of new States and their admission into the Union as an object of patriotic desire. No man does or can sympathize more warmly than myself with the pioneers of American civilization—the founders of new States, who extend the limits of the Republic, who carry the arts of civilization into the wilderness, and make glad its solitary places with the homes of freemen; who make your hitherto wild and uncultivated lands to yield their annual increase, and your hitherto solitary rivers to bear the products of a thrifty industry or contribute their motive power to the production of new wealth; whose rugged, busy hands, energized by the creative power of genius, uncover the immense mineral deposits of the great West, subject them to the tried processes of science, and mould them, amid the darkness which broods over the blast of the furnace and the rolling of the wheel, into forms of strength and use and beauty. Such men, sir, are entitled to our consideration, and no man will more cheerfully or cordially than myself, favor any legitimate or just legislation for their benefit.

But, however much I desire the admission of the new State of Oregon, I cannot consent to sanction the Constitution now before us, by giving my vote for this bill. I knew, sir, there are those, and amongst them, I regret to say, the gentleman from Massachusetts, [Mr. Thayer,] who hold that we do not sanction this Constitution by voting for the bill admitting Oregon into the Union. The gentleman from Massachusetts [Mr. Thayer] said, that when he took his official oath to support the Constitution of the United States, he did not swear that other people should not violate it. I tell that gentleman, and all who agree with him, that every officer, Federal and State, whether legislative, executive, or judicial, who has taken that official oath which we have all taken, to support the Constitution of the United States, are bound in conscience and in law by that oath, neither to violate that Constitution themselves, nor to permit others to violate it by their act and with their consent. What we do by another, we do ourselves. The fact, sir, cannot be gainsayed, that by passing this bill, we sanction the Oregon Constitution, and make it the fundamental law of that Territory. It is equally clear that, by our rejection of this bill, that instrument called the Constitution of Oregon will have no more effect than the paper on which it is printed.

Suppose the proposed Constitution organized an absolute despotism; would gentlemen say that they had no alternative left them but to register their votes for it, and thereby give force and effect to it, because it was the will of the people in that distant Territory, and republican in form? The people of the Territory of Oregon have the sole right to frame a State Constitution for themselves, but they must so exercise that right as not to embody in their Constitution provisions repugnant to the Constitution of the United States, violative of the rights of citizens of the United States. In my judgment, sir, this Constitution, framed by the people of Oregon, is repugnant to the Federal Constitution, and violative of the rights of citizens of the United States. I know, sir, that some gentlemen have a short and easy method of disposing of such objections as these, by assuming that the people of the State, after admission, may, by changing their Constitution, insert therein every objectionable feature which, before admission, they were constrained to omit in order to secure the favorable action of Congress. If this assumption implies that new States have the right so to do, to the infringement of the Constitution of the United States, and of the rights of the citizens thereof, I deny the assumption. If the assumption only means that they *might* arrogate to themselves and exercise powers which they do not possess, to the prejudice and injury of themselves, and in contravention of the Federal Constitution and of the rights of citizens of the other States of the Union, it only tends to prove, if anything, too much, to wit: that new States ought not to be admitted. Such reasoning, to my mind, proves nothing; or, if anything, that we should consent to a violation of the Constitution of our country, and of the rights of the people and the rights of the States, because the same wrong might be done by others.

This assumption, sir, implies, that by the very act of admission, under whatever form of Constitution, you arm the new State with the sole power over persons and property within its territorial limits; and therefore, however oppressive or unjust its legislation may be, however odious or unconstitutional, it is without remedy, and is resultant from our action here. This assumption supposes that the States are not limited by the Constitution of the United States, in respect of the personal or political rights of citizens of the United States. I cannot agree to that; it is a marked advance even upon the Squatter Sovereignty of the Kansas-Nebraska act, which, in express terms, limits the sovereignty of the people by the expressive and significant words, that the domestic institutions, which they are declared "perfectly free" to form, must be "subject to the Constitution of the United States." This assumption ignores these words of limitation upon State sovereignty, set forth in the Constitution of the United States, to wit: "this Constitution, and the laws and treaties made in pursuance thereof, shall be the supreme law of the land, the Constitution and laws of any State to the contrary notwithstanding."

I cannot give this Oregon Constitution the force and effect of law, upon the assumption that, to require the people first to make it conformable to the Constitution of my country and natural justice, is a mere abstraction; that, after admission upon a just Constitution, they may of right change it to an unjust one, and by our act be armed with the power to do so; and that, too, without remedy. No man has any right to assume any such result. What, sir, is a State, formed under the Constitution of the United States, but a collection of citizens, each of whom is bound by the restrictions of the Federal Constitution, and so continue to be collectively after their State organizations, as they were individually before? This is an old idea. It was entertained by the fathers of the Republic, and by them incorporated in their early legislation for the government of the Territories and the organization and admission of new States. I have seen this principle illustrated in this House since I have had the honor of a place on this floor.

By the Constitution of Illinois, all votes cast for two of her Representatives, elected to the Thirty-fourth Congress, were declared void by reason of disabilities imposed upon them by the amended Constitution of that State. On this ground, their seats were contested by gentlemen who received all the legal votes cast, if the superadded restrictions of the State Constitution of Illinois were to be allowed to control the rights of the people under the Federal Constitution. This House disregarded the State restrictions, because it contravened the rights of the people under the Federal Constitution, and decided that votes for Representatives in Congress, given for persons having the qualifications prescribed by the Federal Constitution, were valid, the State Constitution to the contrary notwithstanding. The conclusion that any State Constitution, or State law, which conflicts with the Constitution of the United States, and impairs any right, political or personal, guarantied thereby, is null and void, logically results from that provision which declares the Constitution of the United States, and the laws and treaties made in pursuance thereof, to be the supreme law of the land. To the right understanding of the limitations of the Constitution of the United States upon the several States, it ought not to be overlooked, that whenever the Constitution guaranties to its citizens a right, either natural or conventional, such guarantee is in itself a limitation upon the States; whenever the Constitution confers a general power to legislate or make treaties, the limitation arises only upon the rightful exercise of the power. In the one case it is the Constitution, in the other it is the law or treaty, that is the supreme law.

The Oregon Constitution, in its first section, second article, violates a law of the United States; unless, indeed, your proposed act of admission, being inconsistent with a pre-existing law of the United States, be a repeal of that law. I shall not consider the question of the repeal of the naturalization laws at this time. I take it for granted that gentlemen who insist on the passage of this bill, and the establishment thereby of this Oregon Constitution as the fundamental law of that Territory, do not advocate a repeal of the naturalization laws of the United States. The second section of the second article of the Oregon Constitution contains these words:

"In all elections not otherwise provided for in this Constitution," * * * "every white male of foreign birth, of the age of twenty-one years and upwards, who shall have resided in the United States one year, and shall have resided in this State during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election," * * * "shall be entitled to vote at all elections authorized by law."

Now, sir, this is simply a provision that aliens, upon one year's residence, after a mere declaration of intention to become a citizen of the United States, may vote at all general elections, for all Federal and State officers; that aliens, by reason of one year's residence after a declaration of intention, may elect your Representative in Congress, and select the State Legislature to choose your United States Senators, and elect Presidential electors for the purpose of choosing a President and Vice President of the United States. I do not hesitate to say that this presents the question, whether a State may transfer the sovereignty of the ballot, which is the ultimate sovereignty of the country, to aliens, on one year's residence, and a mere declaration of intention to become citizens of the United States when it suits them, and not before. If there were no other objection to this Constitution, I might surrender my individual judgment to the bad precedents in the cases of the admission of Michigan, Wisconsin, and, more recently, of Minnesota. I think such concessions to new States most pernicious in policy, and of doubtful constitutionality.

By declaring his intention to become a citizen of the United States, an alien does not renounce his allegiance to the Government of his native country, nor does he acknowledge any allegiance to ours. He only gives notice that he may do so at his pleasure. He may never carry out his intention, and there is no law to compel him. When the Oregon enabling act passed this House, in the Thirty-fourth Congress, it was so amended, by an overwhelming vote of the House, as to limit the elective franchise in the election of delegates to frame a Constitution for Oregon, and in the ratification thereof, to citizens of the United States. That act never passed the Senate. But a like amendment to the Minnesota enabling act was, in the Senate, voted for by every Senator present at the time, except one. The Constitution of the United States, in its first article, provides that the Representatives in Congress "shall be chosen by the people of the several States;" and that the electors shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures of the several States. The people here referred to are the same community, or body politic, called, in the preamble of the Federal Constitution, "the people of the United States." They are citizens of the United States, and no other people whatever. It has always been well understood amongst jurists in this country, that the citizens of each State constitute the body politic of each community, called the people of the State; and that the citizens of each State in the Union are *ipso facto* citizens of the United States. (Story on the Constitution, vol. 3, p. 565.)

Who are citizens of the United States? Sir, they are those, and those only, who owe allegiance to the Government of the United States; not the base allegiance imposed upon the Saxon by the Conqueror, which required him to meditate in solitude and darkness at the sound of the curfew; but the allegiance which requires the citizen not only to obey, but to support and defend, if need be with his life, the Constitution of his country. All free persons born and domiciled within the jurisdiction of the United States, are citizens of the United States from birth; all aliens become citizens of the United States only by act of naturalization, under the laws of the United States. What I have said on this question of United States citizenship, and the words "the people," as used in the Constitution of the United States, is sustained by jurists and the decisions of the courts, Federal and State.

Rawle writes as follows:

"The citizens of each State constituted the citizens of the United States when the Constitution was adopted. The rights which appertain to them as citizens of those respective Commonwealths accompanied them in the formation of the great compound Commonwealth which ensued. They became citizens of the latter, without ceasing to be citizens of the former; and he who was subsequently born a citizen of a State, became, at the moment of his birth, a citizen of the United States."—*Rawle on the Constitution*, page 86.

Chancellor Kent says:

"If a slave, born in the United States, be manumitted, or otherwise lawfully discharged from bondage, or if a black man be born within the United States, and born free, he becomes thenceforward a citizen."—2 *Kent's Com.*, 4th ed., page 257—Note.

For the benefit of the other side of the House, who profess a more than Eastern devotion to the Supreme Court of the United States, and its decision in the Dred Scott case, I quote from the opinion of the Chief Justice in that case the following:

"The words 'people of the United States,' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the *sovereignty*, and who hold the power and conduct the Government through their representatives."—19 *Howard, S. C. R.*, page 404.

I undertake to say, that the terms "people of the United States," and "people of the several States," as used in the Constitution of the United States, have invariably received this judicial construction in all our courts, State and National; and on this point I challenge contradiction.

In the same case, the same court says further:

"It is true, every person, and every class and description of persons, who were, at the time of the adoption of the Constitution, recognised as citizens in the several States, became also citizens of this new political body; but none other; it was formed by them, and for them and their posterity; but for no one else. And the personal rights and privileges guarantied to citizens of this new sovereignty, were intended to embrace those only who were then members of the several State communities, or who should afterwards, by birthright or otherwise, become members according to the provisions of the Constitution, and the principles on which it was founded. It was the union of those who were, at that time, members of distinct and separate political communities into one political family, whose power, for certain specified purposes, was to extend over the whole territory of the United States. And it gave to each citizen rights and privileges outside of his State which he did not before possess, and placed him in every other State upon a perfect equality with its own citizens, as to rights of person and rights of property—it made him a citizen of the United States."

The importance that attaches to this question of who are citizens of the United States, may be inferred from the fact that the fathers of the Republic provided that death should be the punishment of that crime which only citizens can commit. The first section of the crimes act for the punishment of treason is the only statute of the United States on that subject, and is as follows:

"That if any person or persons, owing allegiance to the United States of America, shall levy war against them, or shall adhere to their enemies, giving them aid and comfort within the United States or elsewhere, and shall be thereof convicted," * * * "such person or persons shall be adjudged guilty of treason against the United States, and shall suffer death."—1 *United States Laws*, page 112.

The Congress of the United States should not consent that the sovereignty of the ballot, which is the sovereignty of America, should be transferred by its act to those who may use it to aid treason, and who may themselves levy war upon us, and give aid and comfort to the enemy, without any legal responsibility for their acts.

Who would admit the adhering subjects of the perjured House of Hapsburg to the use of a part of the sovereignty of our country in aid of their infamous master?

If I am right in this, sir, then I submit that the elective franchise for the election of Federal officers, either directly or indirectly, should be confined to, and exercised exclusively by, citizens of the United States, resident within the several States. That the several States have, by the terms of the Federal Constitution, the exclusive power to regulate and control the exercise of the elective franchise in all general elections, Federal and State, is conceded; but I do deny that any State can rightfully, under the Federal Constitution, transfer this great political privilege, in whole or in part, from the citizens of the United States, native and naturalized, to aliens, who owe no allegiance to our Constitution, who are not obliged to bear arms in defence of our country, and who cannot be held to answer for treason if they give aid and comfort to the public enemy, or if they themselves levy war against us. If the States may transfer this right in part to aliens, they may give it exclusively to *aliens!* What is the elective franchise, which you propose to give to aliens? It is the sovereignty of America, secured by the Constitution to the people, the citizens of the United States resident within the several States, and by the exercise of which, directly or indirectly, the people appoint persons of their choice to fill the legislative, judicial, and executive departments of their own Government; make, interpret, and enforce their own treaties and laws, and do all other acts which a free and independent people may of right do.

Between myself and gentlemen there is a perfect agreement in this, that the several States may determine who, amongst the citizens of the United States resident within their respective limits, may exercise the elective franchise; they may prescribe the age of majority requisite to the exercise of this right; the term of residence within the State; whether citizens, male or female, shall vote; whether a tax or property qualification shall be required; but I deny that any State may rightfully transfer this political right from the citizen to the alien, and, it may be, to the open and avowed enemy of the country and the Constitution! Of the several States composing the Union, there are but four which, by their Constitutions, confer the elective franchise upon aliens. These are all modern innovations; they are Michigan, Wisconsin, Indiana, (by her amended Constitution,) and Minnesota. This last State not only makes aliens electors, but also declares them elegible to the State Legislature. The words used in some instances in the Constitutions of some of the original States, and of the first of the new States, such as "freemen" and "inhabitants," have generally, if not always, been construed to mean and intend citizens.

The Constitution very clearly imports that only persons born here or naturalized by law are citizens of the United States; for, in prescribing the qualifications of Senators and Representatives in Congress, the Constitution employs the term "citizens of the United States," and in prescribing the qualifications of President of the United States, it employs the terms, "natural-born citizen, or a citizen of the United States at the time of the adoption of this Constitution." These provisions, together with the express power conferred upon Congress to establish a uniform system of naturalization, are only intelligible upon the hypothesis that citizens of the United States are the free inhabitants, born and domiciled within the United States, or naturalized under the laws thereof, and that these alone are citizens, when resident therein, of the several States, and, as such, constitute the body politic, the people of the several States, who should exercise the elective franchise in the general elections, either State or National.

That such is the true intent and meaning of the Constitution, may well be inferred from the express provisions of the fourth and fifth sections of the first article of the Constitution; the first of which is, that the "times, places, and manner, of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing Senators;" and the latter of which provides, that "each House [of Congress] shall be the judge of the elections, returns, and qualifications, of its own members." Here is a power expressly given to Congress to prescribe, by law, the manner, as well as the times, of choosing Representatives and Senators. This power was manifestly conferred, as was also the power in each House to judge of the elections of its members, to enable the people of the United States, as one body politic, to maintain their National Government, under the peaceful operation of law, against any and every attempt on the part of any of the States, or the Legislatures thereof, to interrupt or overthrow it; and, above all, I maintain that these powers were conferred for the especial protection of the political rights of the citizens of the United States. How strongly they proclaim the fact—one people, one Constitution, and one country!

Sir, what are the distinctive political rights of citizens of the United States? The great right to choose (under the laws of the States) severally, as I remarked before, either directly by ballot, or indirectly through their duly-constituted agents, all the officers of the Federal Government, legislative, executive, and judicial, and through these to make all constitutional laws for their own government, and to interpret and enforce them; the right, also, to hold and exercise, upon election thereto, the several offices of honor, of power, and of trust, under the Constitution and Government of the United States. It is worthy of remark, that every political right guarantied by the Constitution of the United States is limited by the words people or citizen, or by an official oath, to those who owe allegiance to the Constitution. The right to exercise the office of a Representative or Senator in Congress is a political right, and, by the terms of the Constitution, its exercise is limited to citizens of the United States, being inhabitants of the States *in* which, not *by* which, they are chosen. The reservation of political powers is a reservation to the States or the people—both of which terms import citizens of the United States—and limit the exercise of all reserved powers to the citizens of the United States, acting as such through their National or State organizations.

And in further illustration of my position, I invite attention to the significant fact that natural or inherent rights, which belong to all men, irrespective of all conventional regulations, are by this Constitution guarantied by the broad and comprehensive word "person," as contradistinguished from the limited term citizen—as in the fifth article of amendments, guarding those sacred rights which are as universal and indestructible as the human race, that "no person shall be deprived of life, liberty, or property, but by due process of law, nor shall private property be taken without just compensation." And this guarantee applies to all citizens within the United States. That these wise and beneficent guarantees of political rights to the citizens of the United States, as such, and of natural rights to all persons, whether citizens or strangers, may not be infringed, it is further in this National Constitution provided:

"That this Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."—*Article* 6.

There, sir, is the limitation upon State sovereignty—simple, clear, and strong. No State may rightfully, by Constitution or statute law, impair any of these guarantied rights, either political or natural. They may not rightfully or lawfully declare that the strong citizens may deprive the weak citizens of their rights, natural or political; and if the State should do so by enacting statutes to that effect, there stands the limitation of the Constitution of the United States, sanctioned by the strong avertment assented to and ratified by all the people and all the States—this Constitution shall be the supreme law; and the judges in every State shall be bound thereby. Every State in this Union, either by the express words of their respective Constitutions, or by construction, restrict the right of the elective franchise to those who owe allegiance to the Government and Constitution of the United States, except the States of Michigan, Indiana, Wisconsin, and Minnesota. If resistance to the admission of new States, on the ground that their Constitutions confer this great political right of the citizen upon aliens, is not allowable, and will not be heard here, I shall then appeal to that public opinion which, after all, is the strongest defender of the Constitution against such innovation, and of the rights of the people against such infringement.

I have but a word more on the point that the States may not transfer the great right of American sovereignty from the citizens of the United States, resident therein, to aliens, nor make aliens citizens of the United States. Let the self-constituted champions of State rights, who clamor for the right of the States to make the alien a citizen of the United States by investing him with the highest privilege of a citizen, remember that Jefferson, the great apostle of State rights, signed the act of 1802, which still stands in full force on your statute book, and contains these words:

"Any alien, being a free white person, may be admitted to become a citizen of the United States, or any of them, on the following conditions, and not otherwise."

After these words follow the provisions for naturalization. Any alien shall become a citizen of *any* State of the Union only as prescribed by this law! For State-rights men to talk about the right of any of the States to confer the right of citizenship on aliens, in violation of this Jeffersonian statute, is enough to make the very ashes of that apostle of the rights of the States move in his coffin!

But, sir, there is a still more objectionable feature than alien suffrage in this Oregon Constitution. That is the provision of the schedule which declares that large numbers of the citizens of the United States shall not, after the admission of the proposed State of Oregon, come or be within said State; that they shall hold no property there; and that they shall not prosecute any suits in any of the courts of that State; and that the Legislature shall, by statute, make it a penal offence for any person to harbor any of the excluded class of their fellow-citizens who may thereafter come or be within the State. This provision seems to me, in its spirit and letter, to be injustice and oppression incarnate. This provision, sir, excludes from the State of Oregon eight hundred thousand of the native-born citizens of the other States, who are, therefore, citizens of the United States. I grant you that a State may restrict the exercise of the elective franchise to certain classes of citizens of the United States, to the exclusion of others; but I deny that any State may exclude a law-abiding citizen of the United States from coming within its territory, or abiding therein, or acquiring and enjoying property therein, or from the enjoyment therein of the "privileges and immunities" of a citizen of the United States. What says the Constitution:

"The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."—*Article* 4, *section* 2.

Here is no qualification, as in the clause guarantying suffrage or an elective representation to the people; here is no room for that refined construction, that each State may exclude all or any of the citizens of the United States from its territory. The citizens of each State, all the citizens of each State, being citizens of the United States, shall be entitled to "all privileges and immunities of citizens in the several States." Not to the rights and immunities of the several States; not to those constitutional rights and immunities which result exclusively from State authority or State legislation; but to "all privileges and immunities" of citizens of the United States in the several States. There is an ellipsis in the language employed in the Constitution, but its meaning is self-evident, that it is "the privileges and immunities of citizens of the United States in the several States" that it guaranties.

This guaranty of the Constitution of the United States is senseless and a mockery, if it does not limit State sovereignty, and restrain each and every State from closing its territory and its courts of justice against citizens of the United States. Lest it may be said that I have overstated the odious provisions of this Oregon Constitution, I read the entire provisions of this section of the schedule, and which is expressly declared to be "a part of this Constitution:"

"Sec. 4. No free negro or mulatto, not residing in this State at the time of the adoption of this Constitution, shall ever come, reside, or be within this State, or hold any real estate, or make any contract, or maintain any suit therein; and the Legislative Assembly shall provide by penal laws for the removal by public officers of all such free negroes and mulattoes, and for their effectual exclusion from the State, and for the punishment of persons who shall bring them into the State, or employ or harbor them therein."—*Oregon Constitution, Mis. Doc., No.* 38, *page* 20.

The Constitution of Oregon, which contains this infamous atrocity, was adopted on the 9th of November, 1857; and we, by approving it, and giving to it the force of law, as we shall do if we pass this bill, declare that our legislation for this horrid oppression shall not only operate upon these proscribed eight hundred thousand freemen, citizens of the United States, from and after this day, but, by relation to the time of the adoption of this instrument, shall operate from the 9th of November, 1857. Since that day, doubtless, some of this excluded class have entered that Territory; and, if they have, you declare, by passing this bill, that their entrance of that Territory, after that day, was a crime; "that they shall not reside, or be," within that State; that they shall hold no real estate there, although acquired before you passed this bill, or gave effect to that act of exclusion; that they shall make no contract; that they shall maintain no suit, either for the enforcement of a right or the redress of a wrong; that they shall be expelled and "effectually excluded" by penal enactments; and that whoever harbors them within that State, whoever shelters them in sickness or distress, in hunger or in cold, shall be guilty of a crime before the law, and punished as a criminal. Would not this be an *ex post facto* law? By what authority, sir, can you enact it? It is forbidden by the Constitution of the United States.

That our country might be saved the shame and infamy and crime of such legislation, our fathers inserted in the first article, ninth section, of the Constitution, an absolute and perpetual prohibition in these words: "No *ex post facto* law shall be passed." This inhibition of our National Constitution, sir, is as sacred as any other provision of that great instrument; and the official oath "to support the Constitution," which you in your great office administered to all of us, binds us, in my judgment, to respect alike all the specific requirements and limitations of the Constitution, not only to save it from violation or infringement by our own act, but by the act of others with our consent! But, sir, this odious section is not only retroactive in its penal and offensive provisions, but it extends the same prohibitions over the future—all the future: "No free negro or mulatto, not residing in this State at the adoption of this Constitution, shall ever come, reside, or be, within this State, or hold any real estate, or make any contract, or maintain any suit therein;" and this denial to eight hundred thousand citizens of the United States and their descendants forever to hold real estate in Oregon, or make contracts, or maintain any suit in vindication of their rights, or for the redress of their wrongs, is to be enforced by the same atrocious sanction—the enactment of penal laws—which is especially enjoined by this infamous instrument upon the Legislative Assembly of Oregon.

Gentlemen say that we violate the ordinance of 1787, which, by the act of 1848, was extended over Oregon, by resisting the admission of Oregon upon this Constitution. I very much fear that gentlemen who say this, have never read the ordinance of 1787. I mean no disrespect, sir; but I say the veriest dolt cannot fail to see that this provision of the Oregon Constitution is in direct conflict with, and violative of, the second article of that great ordinance. That article declares that the inhabitants of that Territory shall always be entitled to the benefit of the writ of *habeas corpus* and of the trial by jury. This Constitution of Oregon denies both these rights to some of the inhabitants. That article declares that no man shall be deprived of his liberty or property but by the judgment of his peers or the law of the land. This sacred provision is also violated by this Constitution of Oregon, unless, indeed, gentlemen say a negro or mulatto is no man, but only a brute. That article further declares:

"For the just preservation of rights and property, it is understood and declared, that no law ought ever to be made or have force in the said Territory, that shall, in any manner whatever, interfere with private contracts or engagements, *bona fide* and without fraud previously formed."

This will be the very effect of your retroactive legislation, which gives force to this Constitution of Oregon; which declares, in section three of the schedule, that it shall take effect from its adoption, and that no negro or mulatto not residing there at the time of its adoption, (9th November, 1857,) "shall ever hold any real estate, make any contract, or maintain any suit therein." Contracts, therefore, made by such persons, since 9th November, 1857, are to be held null and void, and real estate, by them acquired, confiscated.

Sir, if the persons thus excluded from the right to maintain any suit in the courts of Oregon were not citizens of the United States; if they were not natives, born of free parents within the limits of the Republic, I should oppose this bill; because I say that a State which, in its fundamental law, denies to any person, or to a large class of persons, a hearing in her courts of justice, ought to be treated as an outlaw, unworthy a place in the sisterhood of the Republic. A suit is the legal demand of one's right, and the denial of this right by the judgment of the American Congress is to be sanctioned as law! But, sir, I maintain that the persons thus excluded from the State by this section of the Oregon Constitution, are citizens by birth of the several States, and therefore are citizens of the United States, and as such are entitled to all the privileges and immunities of citizens of the United States, amongst which are the rights of life and liberty and property, and their due protection in the enjoyment thereof by law; and therefore I hold this section, for their exclusion from that State and its courts, to be an infraction of that wise and essential provision of the National Constitution to which I before referred, to wit:

"The citizens of each State shall be entitled to all the privileges and immunities of citizens IN THE SEVERAL STATES."

Who, sir, are citizens of the United States? First, all free persons born and domiciled within the United States—not all free white persons, but all free persons. You will search in vain, in the Constitution of the United States, for that word *white*; it is not there. You will look in vain for it in that first form of National Government—the Articles of Confederation; it is not there. The omission of this word—this phrase of caste—from our national charter, was not accidental, but intentional. I beg leave to refer gentlemen to the Journal of the Continental Congress, volume 2, page 606. By this reference it will be seen that in that Congress, on the 25th June, 1778, the Articles of Confederation being under consideration, it was moved by delegates of South Carolina to amend the fourth article, by inserting after the word "free," and before the word "inhabitants," the word "white," so that "the privileges and immunities of citizens in the several States should be limited exclusively to white inhabitants." The vote on this amendment was taken by States, and stood two States for and eight against it, and one equally divided. This action of the Congress of 1778 was a clear and direct avowal that all free inhabitants, white and black, except "paupers, vagabonds, and fugitives from justice," (which were expressly excepted,) were entitled to all the privileges and immunities of free citizens in the several States."

At the time of the adoption of the Constitution, only some States—South Carolina, Virginia, and Delaware—made *color* a qualification or basis of suffrage. In five of the others, the elective franchise was exercised by free inhabitants, black and white; and therefore, in five of the States, black men co-operated with white men in the elections, and in the formation of the Constitution of the United States. Inasmuch as black men helped to make the Constitution, as well as to achieve the independence of the country by the terrible trial by battle, it is not surprising that the Constitution of the United States does not exclude them from the body politic, and the priviliges and immunities of citizens of the United States. That great instrument included in the new body politic, by the name of "the people of the United States," all the then free inhabitants or citizens of the United States, whether white or black, not even excepting, as did the Articles of Confederation, paupers, vagabonds, or fugitives from justice. Thenceforward, all these classes, being free inhabitants, irrespective of age, or sex, or complexion, and their descendants, were citizens of the United States. No distinctions were made against the poor and in favor of the rich, or against the free-born blacks and in favor of the whites. This Government rests upon the absolute equality of natural rights amongst men. There is not, and cannot be, any equality in the enjoyment of political or conventional rights, because that is impossible.

The franchise of the office of a Representative in Congress is a political right. It cannot be exercised by all; it is therefore limited to those who possess the qualifications of citizenship, age, and residence, prescribed by the Constitution, and who are duly elected by the majority of the people of any State or district entitled so to elect. So the elective franchise is a political right, which all cannot exercise, and is therefore limited to some citizens, to the exclusion of others. An infant in its cradle, the child of a citizen of the United States, is also a citizen of the United States, but has not the capacity to exercise this political right, and is therefore excluded from it. Practically, political rights are exercised only by the majority of the male population, and are subject to just such limitations as the majority see fit to impose. To this I have, and can have, no objection. Gentlemen need not trouble themselves, therefore, about the demagogue cry of "the political equality of the negro." Nobody proposes or dreams of political equality, any more than of physical or mental equality. It is as impossible for men to establish equality in these respects as it is for "the Ethiopian to change his skin." Who would say that all men are equal in stature, in weight, and in physical strength; or that all are equal in natural mental force, or in intellectual acquirements? Who, on the other hand, will be hold enough to deny that all persons are equally entitled to the enjoyment of the rights of life and liberty and property; and that no one should be deprived of life or liberty, but as punishment for crime; nor of his property, against his consent and without due compensation?

But it is not necessary to take time in demonstrating that all free persons born and domiciled within the United States are citizens of the United States. The fact is notorious, that at the formation of the Constitution but few of the States made color the basis of suffrage, and all of them, either by the words or the construction of their Constitutions, affirmed the fact that all native-born free persons were citizens. Allow me to cite from those early State Constitutions. New Hampshire, by her Constitution of 1792, declared that every male inhabitant of the State, twenty-one years of age and upward, except paupers and persons excused from paying taxes at their own request, shall have a right to vote at all elections. This was construed to admit all but aliens. This Constitution also declares that "all men are born equally free and independent." Massachusetts, by her Constitution of 1780, declared that "all men are born free and equal, and have certain natural, essential, and inalienable rights, amongst which are the right of enjoying and defending life and liberty, and of acquiring and possessing property." And contained the same general provision for suffrage as New Hampshire, with a small property qualification.

Rhode Island, under the charter of Charles II, allowed negroes to vote, and recognised them as citizens.

Connecticut, under her charter, did the same.

New York, by the Constitution of 1777, gave suffrage to "every male inhabitant," upon six months' residence, and a property qualification.

All free persons, then, born and domiciled in any State of the Union, are citizens of the United States; and, although not equal in respect of political rights, are equal in respect of natural rights. Allow me, sir, to disarm prejudice, and silence the demagogue cry of "negro suffrage," and "negro political equality," by saying, that no sane man ever seriously proposed political equality to all, for the reason that it is impossible. Political rights are conventional, not natural; limited, not universal; and are, in fact, exercised only by the majority of the qualified electors of any State, and by the minority only nominally.

While, therefore, I recognise the obligation of the majority to extend political privileges, so far as consistent with the stability of good government, to the largest number of the citizens, I as fully recognise the fact that all political privileges are, and ought to be, under the absolute control of the majority in a republican Government; and their will is, and should be, the law. But, sir, while this is cheerfully conceded, I cannot and will not consent that the majority of any republican State may, in any way, rightfully restrict the humblest citizen of the United States in the free exercise of any one of his natural rights; those rights common to all men, and to protect which, not to confer, all good Governments are instituted amongst men; and the failure to maintain which inviolate furnishes, at all times, a sufficient cause for the abrogation of government; and, I may add, imposes a necessity for such abrogation, and the reconstruction of the political fabric on a juster basis, and with surer safeguards.

Of my resistance to the passage of this bill, sir, and the enactment into a law of this Oregon Constitution, let no demagogue say that it is a mere negro question, and for making a negro equal, politically, with a white man. I ask no change of the law as it is written in the Federal Constitution. I leave the States as that Constitution leaves them, free to regulate the elective franchise among citizens of the United States; to extend it to or withhold it at their pleasure from all colored citizens, or only some of them; from all minors, white or black; and, if they see fit, from the best portion of the citizens of the United States—from all the free intelligent women of the land. But I protest against the attempt to mar that great charter of our rights, almost divine in its conception and in its spirit of equality, by the interpolation into it of any word of caste, such as white or black, male or female; for no such word is in that great instrument now, and, by my act, or word, or vote, never shall be.

The equality of all to the right to live; to the right to know; to argue and to utter, according to conscience; to work, and enjoy the product of their toil, is the rock on which that Constitution rests—its sure foundation and defence. Take this away, and that beautiful and wise and just structure, so full of the goodness and truth of our fathers, falls. The charm of that Constitution lies in the great democratic idea which it embodies, that all men, before the law, are equal in respect of those rights of person which God gives, and no man or State may rightfully take away, except as a forfeiture for crime. Before your Constitution, sir, as it is, as I trust it ever will be, all men are sacred, whether white or black, rich or poor, strong or weak, wise or simple. Before its divine rule of justice and equality of natural rights, Lazarus in his rags is as sacred as the rich man clothed in purple and fine linen; the peasant in his hovel, as sacred as the prince in his palace, or the king on his throne.

I cannot consent to mutilate and destroy that great instrument, the Constitution of my country, by supporting a bill which, on its face, gives effect to a State Constitution which denies to citizens of the United States the right of a fair trial in the courts of justice for the enforcement of a right or the redress of a wrong. In opposing this bill, sir, I am doing what I can to maintain the Constitution and the honor of my country. In opposing it, I am doing what I can to secure my country from the shame and dishonor and crime of declaring, by solemn, written statute, in favor of a denial of justice to the citizen and stranger within our gates. Oh, sir, how will this burning disgrace, about to be enacted into law, hiss among the nations, that your boasted trial by jury is to be withheld from eight hundred thousand of our own citizens and their posterity forever, because they were so weak or so unfortunate as to be born with tawny skins!

This provision, sir, which denies a fair trial in the courts of justice, excludes the same class of our fellow-citizens, native-born, forever from the territory of that State. This is not only a violation of that provision of the Constitution of the United States to which I before referred, which secures to the citizens of each State the privileges and immunities of citizens in every State of the Union, but it is, I maintain, a flagrant violation of the law of nature, as recognised by every civilized nation on the globe. It is, sir, the public law of the civilized world, that every free man is entitled to live in the land of his birth. Oregon, by becoming incorporated into the Union, becomes part of the country of every American citizen, and therefore no citizen of the United States can rightfully be excluded from it. If one State may rightfully do this, every State may; if it be right for one State thus to violate this law of domicile, acknowledged by all the world, it would be right for every State in the Union to exclude every native-born colored man in America. What, in the name of God, would you do with these men, these eight hundred thousand free, native-born men, of our common country! In the name of eternal justice, I deny this pretended State right to exile any of its native-born freemen, or deny them a fair hearing in maintenance of their rights in the courts of justice.

No, sir; it was not to legalize this horrid injustice that America was allowed to assume her proud place amongst the nations. It was not to this end that the immortal Genoese, guided alone by Providence and that tiny magnet which twinkles on its card like a beam of light, gave to the oppressed nations of the Old World this new heaven and new earth. It was not to this end that the Pilgrims came with their hymns of lofty cheer:

"And the stars heard, and the sea;
And the sounding aisles of the dim woods rang
To the anthem of the free!"

It was not to this end that the fathers of the Republic put forth their great Declaration, and in defence of it walked through the fire and storm and darkness of a seven years' war. It was not to this end that God gave them the victory, and set for them his bow in the cloud, like a brightness out of heaven, giving token that the wild deluge of oppression and blood should not again sweep over their habitations. It was not to this end that, after the victory was thus achieved, those brave old men, with the dust of Yorktown yet fresh upon their brows, and the blood of Yorktown yet fresh upon their garments, proclaimed to the world, and asked it to be held in everlasting remembrance, "that the rights for which America had contended were the rights of human nature."

## THIRTY-FIFTH CONGRESS,
### Second Session.

*Tuesday, February 22*, 1859.

SENATE.

*The General Appropriation Bill.*—A motion gave rise to considerable discussion; pending which, Mr. Hunter moved to take up the executive, legislative, and judicial appropriation bill. Motion carried.

The total amount appropriated is about five and a half millions.

About half past one o'clock, a debate ensued as to the order of business.

The Chair submitted to the Senate, whether they should continue the consideration of the appropriation bill, or take up the bill for the acquisition of Cuba.

Mr. Slidell, of Louisiana, said if the Cuba bill was postponed, he would consider it as an evasion of a direct vote on the bill.

A vote being taken on the question of postponing the Cuba bill, it was agreed to, by yeas 33, nays 32.

The only amendments of importance introduced in the bill, as reported from the Finance Committee, were one making an appropriation of $20,000 to take a census of the people of Kansas, with the view of her admission into the Union as a State.

Mr. Hale, of N. H., moved, as an additional section, to repeal the restriction clause of the act to admit Kansas, and called on the Oregon Senators to do by her as they themselves had been done by.

Messrs. Lane and Smith said, when Kansas came before Congress seeking admission, they would act by her with justice. The latter made a speech of some length.

Mr. Douglas, of Ill., held that Kansas ought to come in, irrespective of the census, with such a Constitution as she shall choose. Hence he did not admit the necessity of the appropriation. He wanted either the appropriation stricken out, or the restrictive clause repealed.

Mr. Green, of Mo., entered his protest against the introduction of this exciting and inflammatory subject. He mentioned that he was to-day authorized to report against a Constitution framed at Leavenworth, and which had been offered by the Senator from New York, and that he was delaying it at the instance of the delegate from the Territory, who says the people do not wish to come in under that Constitution. Mr. Green, after some further remarks, concluded by inculcating the duty of unity and feeling in all sections of the country.

After several attempts to adjourn, most of them defeated by the vigilance of Mr. Hunter, who was anxious to get the bill passed, the Senate, at a late hour, adjourned.

HOUSE.

*The Post Office Appropriation Bill.*—The House went into Committee on the Post Office appropriation bill.

Mr. Hatch, of New York, offered an amendment, that the supplies for the Department be given by contract to the lowest responsible bidder.

The amendment was rejected.

Mr. Garnett, of Virginia, offered an amendment restricting the Postmaster General to the present appropriations in next year's expenditures.

Mr. John Cochrane, of New York, was convinced the Department should not, in an economical or political sense, be a self-sustaining machine. As to New York, the receipts were largely in excess of the expenditures.

Mr. John Cochrane (resuming) spoke in favor of the abrogation of the franking privilege, as a commencement of a wholesome reform.

After further debate, Mr. Garnett's amendment was rejected by yeas 34, nays not counted.

Without concluding action on the bill, the Committee rose.

*The Tariff Question.*—Mr. Hughes, of Indiana, asked leave to introduce a bill to revive the tariff of 1846.

The House then adjourned.

*Wednesday, February* 23, 1859.

SENATE.

The legislative, executive, and judicial appropriation bill came up as the special order.

The question recurred on Mr. Hale's amendment, to repeal the restrictive clause of the Kansas admission act.

Mr. Stuart, of Michigan, said he would vote against requiring a census to be taken.

Mr. Seward, of New York, said Congress had decided that Kansas should come in with the Lecompton Constitution, without reference to population; but, on the other hand, should not come in outside of the Lecompton Constitution unless she had 92,400 population. There was, therefore, a discrimination by the Congress of the United States, as against Freedom, in favor of Slavery. Oregon, because she was a Democratic State, was admitted without reference to population, and Kansas, because of her different politics, was excluded. He was glad of this occasion to renew his vote. He was glad, also, to hear that so many gentlemen on the other side will give Kansas a fair hearing. It indicates that the time is coming when any State applying for admission will be heard on its merits, apart from all other considerations. He thought it goes to show, that if Texas should be divided, or free States, as he thought they would, be formed in Mexico, they will come in as free States.

Mr. Brown, of Mississippi, made a strong Southern speech.

He held to the doctrine of State rights; denied the squatter sovereignty of Territories; and threatened secession, with banners flying, if the South was deprived of her rights. His address was directed to Northern Democrats. He placed his views frankly on record, and desired neither to cheat nor be cheated.

Mr. Douglas felt it incumbent on him as a Northern Democrat to make a reply. He admired the frankness, candor, and directness, with which Mr. Brown had approached the question. He, (Douglas,) too, would put his opinions on record in such a manner as will acquit him of a desire to cheat or be cheated. He agreed at the outset with Mr. Brown, and with the decision of the Supreme Court, that slaves are property, and that their owners have a right to carry them into the Territories as any other property. Having the right of transit into the Territory, the question arises, how far does the power of the Territorial Legislature extend to slave property; and the reply is, to the same extent, and no further, than to any other description of property. Mr. Brown has said that slave property needs more protection than any other description. If so, it is the misfortune of the owners of that kind of property. Mr. Douglas's remarks, from the frequent interruptions, assumed so much the form of question and reply, and running comments on the various issues started, that we can only notice the salient points of the main discussion, which extended throughout many hours, he sustaining the principal part. His general scope was, that he would leave all descriptions of property, slaves included, to the operation of the local law, and would not have Congress interfere in any way therewith. If the people of the Territory want Slavery there, they will foster and encourage it, and if they do not find it for their advantage, they will do otherwise. So it becomes a question of soil, climate, production, &c. He illustrated by saying, that if any discrimination is to be made in any description of property, the owner of stock, or liquors, or any other, might claim it likewise.

After some other illustrations, he went into discussion of the Kansas-Nebraska bill, which, he said, was passed by a distinct understanding between Northern and Southern Democrats, however differing on some points, to give to the Territorial Legislature the full power, with appeal to the Supreme Court, to test the constitutionality of any law, but not to Congress to repeal it. If the Court decides such law to be constitutional, it must stand; if not, it must fall to the ground, without action of Congress. That doctrine of non-intervention by Congress with Slavery in the States and Territories has been a fundamental principle of the Democratic platform, and every Democrat is pledged to it by the Cincinnati platform. Here Mr. Douglas, in reply to a question by Mr. Clay, (who also made the remark that, according to Mr. Douglas's interpretation, squatter sovereignty is superior to the Constitution,) said that the limit of Territorial legislation is the organic act and the Constitution. In reply to Mr. Clay's question, "Can a slaveholder take his slave property into the Territory?" he would reply, Yes; and hold it as other property. To the question, "Will Congress pass a law to protect other kinds of property in the Territories?" he would answer, No; for the doctrine that Congress is to legislate on property and persons without representation, is the doctrine of the Parliament of George III, that brought on the Revolutionary war. We said then it was a violation of the rights of power to assume to legislate for Englishmen without their consent. Now, was he (Mr. Douglas) to be called on to force this same odious doctrine on the people of the Territories, without their consent? He answered, No; let them govern themselves. If they make good laws, let them enjoy the blessings; if bad, let them suffer until they are repealed. Referring to the great battles fought and gained in 1854 and 1856, he said he would like to know how many votes Mr. Buchanan would have got in Pennsylvania or Ohio, if he had then understood the doctrine of popular sovereignty as he claims to do now.

Mr. Bigler asked how many votes Mr. Buchanan would have received in 1856, had the Senator from Illinois and those who acted with him told the people that the Kansas act was not intended to extend to the Territories the sacred right of self-government, but simply to give the people the right to petition for redress of grievances—a right not denied to any citizen, white or black?

Mr. Douglas said that there are no colored citizens, and he trusted in God there never would be. He did not recognise the black brothers.

Mr. Bigler knew that as well as the Senator, and should have said inhabitants.

Mr. Douglas resumed. In 1856 he took the same ground as now, and Mr. Buchanan, when he accepted the nomination, took the same ground. His letter of acceptance to the Cincinnati Convention shows he then understood that the people of the Territories should decide whether Slavery should or should not exist within their limits. When gentlemen called for Congressional intervention, they step off the Democratic platform. He (Mr. Douglas) asserted that the Democratic creed was non-intervention by Congress, and the right of the people to govern themselves. He would frankly tell gentlemen of the South, that no Democratic candidate can carry one State North, but on the principles of the Cincinnati platform, as construed by Mr. Buchanan when he accepted his nomination, and which he (Mr. Douglas) stood here to-day to defend.

Mr. Davis replied to Mr. Douglas elaborately, denying that he (Douglas) rightly interpreted the obligations of the Democratic party.

Mr. Pugh said, Mr. Brown had asked if Northern Democrats would vote for Congressional intervention to protect the people against local legislation. He would answer, Never. It is monstrous. It is against the plighted faith both of the South and North. Mr. Pugh discussed the question at length, and said he stood on the platform of his party with the intepretation which he explained.

Mr. Green was sorry that this subject of contention had been brought forward. It was to try and bring discord into the Democratic party, the only party able to override the Republican party. He hoped and believed there was no difference between the North and the South. A Government is formed to protect persons and property; and when it ceases to do either, it ceases to perform its one great function. Mr. Hale's amendment had brought up the question, "What is property?" He (Green) maintained that, under the Constitution and by the decision of the Supreme Court, slaves are property; and he argued the subject in many aspects, concluding by calling on the Democratic party to stand united, and not permit a combination to make use of a mere figment to disorganize them. In the course of his remarks, he quoted from Mr. Douglas's Springfield speech, to show that he had therein proposed Congressional intervention in Utah. He could not see the consistency of the Senator's course, then and now.

Mr. Douglas denied that he had proposed Congressional intervention to regulate the internal affairs of Utah. The intervention he proposed was alone on the ground of rebellion—not on account of their domestic affairs, but as aliens and rebels.

Mr. Green, in speaking of how Territorial legislation could destroy the rights of slave property, said he had before him a copy of the bill passed by the Kansas Legislature to abolish Slavery.

Mr. Douglas remarked that several speeches had been made very pointedly at him, making him out no better than an Abolitionist, for leaving the Territories to carry out their own affairs. It does well to attack one man for his opinion; but when was the most aggravated act ever committed, that he did not say it was committed in manumitting your slaves and confiscating your property? The gentleman who spoke thus, says: "It is not yet time." There is no better time than the present, to introduce a bill to repeal that act of the Kansas Legislature. Senators say that he (Douglas) may go out. No; he stands on the platform, and it is for those who jump off, to go out. [Laughter.]

The Chair called the Senate to order, threatening to clear the galleries, unless it was maintained.

Mr. Green said he had received information of the bill by telegraph, but could not legislate on such information.

Mr. Douglas would take it for granted that Mr. Green meant that he received authentic information, and would introduce a bill to repeal the act. The South, he said, had reluctantly acquiesced in the movement with the Democrats of the North to settle the question. He went at some length into a discussion and approval of the decision of the Supreme Court in the case of Dred Scott. He did not agree with Senator Douglas's views as to the power of the people of a Territory, and did not believe that the Nebraska-Kansas bill gave them independent power. The Senator from Virginia then gave his ideas as to the people of the Territories, and the people of the States. The right of property is recognised in the former, but the inhabitants of a Territory are unknown to the Constitution. Congress cannot divest itself of its power over the property of the Territories, but it can grant them nothing. South of the Potomac river, to the confines of Mexico, there is not one dissentient voice. The South would be recreant to itself, if it would give one vote for its rights to be taken from the Constitution, and remitted to the pleasure of the people temporarily in the Territories.

Mr. Davis took an animated part in the debate against Mr. Douglas, who, in the Kansas-Nebraska act, had made a great error, and drawn the Senate into a great error.

Mr. Douglas resumed, saying it won't do to read him out, because they had fallen from the faith. There is no middle ground. It is either intervention or non-intervention.

Mr. Gwin said, if the Senator from Illinois had given the same interpretation to the Kansas-Nebraska bill when it was before the Senate, he (Gwin) would not have voted for it, and believed those around him would not. When the Senator proposed to speak for the Democracy of the free States, he had no right to speak for California, which thought otherwise.

Mr. Broderick contradicted Mr. Gwin's statement of the views of California. He considered the views of his State were those expressed by Mr. Douglas.

Mr. Gwin replied that he was sent here to do his duty in representing the Democracy of California, and he knew they endorse the action of the Administration, and do not at all endorse the interpretation given by the Senator from Illinois.

Mr. Douglas (to Mr. Gwin.) I do say the records show a very general concurrence in the views I then expressed.

Mr. Iverson raised the question of order, that Mr. Douglas had spoken many times. He and Mr. Davis had occupied the floor four or five hours. The point of order was sustained.

Mr. Hunter said it was with reluctance that he occupied the time at the late period of the evening, but the turn the debate had taken rendered an explanation necessary, in justice to himself. He differed with the Senator from Illinois, both in the history of the Kansas-Nebraska act, and what was intended by it. When the proposition was made to pass that, he maintained, as he has always done since he has had a place on that floor, that the South had a right to protection for their slave property in the Territories.

Mr. Hunter read from his speech of that date, showing the views he then expressed. The case stood thus: Southern men on the one side maintained they had right, under the Constitution, to protection to their slave property; Northern men thought the contrary, and there was no chance of agreement between them, as the act was very carefully framed, neither affirming nor disaffirming the power of the Territory to abolish Slavery, but reserving the question of right, and agreeing to refer to the Judiciary any points arising out of it. It was in itself a compromise, in which neither party conceded their opinions or their rights. They were but placed in abeyance until a case affecting them might arise. No Southern man with whom he acted ever considered he was conferring on the Territorial Legislature the absolute right to deal with this subject. They agreed to this settlement as a consequence, acting together upon points wherein they agreed, and expressing no opinion upon points where the differences were irreconcilable. By this they secured the repeal of the Missouri Compromise, upon which the Democrats were agreed, by confining the act to the general purpose to be accomplished. Justice to himself and the distinguished Senator from South Carolina, now no more, with whom he had acted and consulted on the matter, required the explanation. Mr. Hunter then drew the attention of the Senate to the time consumed in the debate, and urged a vote upon the amendment.

Mr. Stuart, after some general remarks on the subject under discussion, asked, why should the Democratic party be racked and torn by the thought of the contingencies which may not happen? If the Democratic party in a body, if its able and efficient members throughout the country, stand faithfully together, their flag will remain in the ascendant, and the party will rise out of all the difficulties which now beset it.

Mr. Bigler was opposed to Congress extending Slavery in the Territories, and against Congressional intervention with Slavery, and would stand by the Baltimore and Cincinnati platforms of the Democratic party. He believed the best interests of the country were in the hope of the Democracy.

Mr. Clingman. "The Senate is now in debating society, and might as well discuss the question of 'was Cæsar or Hannibal the greatest warrior?' They had better go to business."

Mr. Fessenden said the Senators on the other side of the House had consumed seven mortal hours in their own family quarrels. The Senate had better adjourn, and he so moved.

Rejected—15 against 27.

Mr. Hale had listened to the tale of the slaughter of the innocents in the States from the members on the other side with pleasure. He reviewed the decision in the Dred Scott case, and said that the only thing in it was, could Dred Scott maintain an action in court? In the rest of the decision the court went out of its way for a political purpose. He denounced it as contrary to the enlightened judicial opinion of the country. He charged this debate upon the "harmonious Democracy." The Republicans had said scarcely anything in it. He denied that the Constitution recognised property in slaves, and argued the question at great length.

Mr. Doolittle thought that if Rip Van Winkle had slept ten years, and was called upon to point out the Democratic party on this floor, judging from its actions, he would find it difficult. He defended the Republican party, and said there was not a platform in the party but what had been incorporated from the true principles of Jefferson.

Mr. Clark followed on the Republican side, and was followed by Mr. Smith (Oregon) on the other.

Mr. Trumbull replied to the points made by several Senators, and contended that the Constitution did not create Slavery anywhere. He denied that slaves are property, except when made so by the local law. He showed that the difficulty in which the country now is, arises from the error made in 1854, and that the Democratic party now has no trait of the Jackson Democracy. In his opinion, the power over the Territories is vested in Congress, to be delegated or not, in its discretion.

Mr. Crittenden said he was no Democrat and no Republican, and both parties know it; so he would ask, what good have all the struggles done, with which this country has been afflicted? After twenty years' contention, what has either party gained? His earnest wish was that gentlemen would come together in a more national spirit. The nation and the Constitution were in danger of being superseded by party platforms. He wanted to see the people regain their rights—to see the Constitution regain its supremacy. He wanted to see no conventions, no party platforms. He would vote against the amendment, as he did not wish to send the bill to the House with sting in it, to awaken contention there.

Mr. Hale's amendment was then put, and lost, by yeas 19, nays 27.

*Yeas*—Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Harlan, King, Seward, Trumbull, Wade, and Wilson—19.

*Nays*—Messrs. Bigler, Chesnut, Clay, Clingman, Crittenden, Davis, Fitch, Fitzpatrick, Green, Gwin, Houston, Hunter, Iverson, Johnson of Tennessee, Johnson of Arkansas, Kennedy, Lane, Polk, Pugh, Reid, Rice, Sebastian, Slidell, Smith, Toombs, Ward, and Yulee—27.

Mr. Mason paired off with Mr. Stuart.

On motion of Mr. Reid, the vote striking out the Charlotte and Dahlonega Branch Mints was reconsidered, but the appropriations were not restored.

The bill was then passed, Mr. Chandler calling for the yeas and nays, which resulted—yeas 27, nays 16.

The Senate then adjourned, exactly at midnight.

There was a considerable audience present to the close.

HOUSE.

The House went into Committee on the Post Office appropriation bill.

Mr. Montgomery, of Pennsylvania, offered an amendment, repealing the present tariff, and reviving the act of 1846, with an amendment imposing specific duties on iron, &c.

The Chairman (Mr. Hopkins, of Virginia) ruled the amendment out of order, on the ground of irrelevancy.

Gentlemen on both the Democratic and Republican sides coincided with the Chair.

Mr. Montgomery appealed from the decision, and proceeded to show that he was acting in accordance with the rules of this House—a tariff bill having, in 1855, been offered by Mr. Letcher, as an amendment to the civil and diplomatic bill.

The decision of the Chair was sustained—yeas 109, nays not counted.

A long debate ensued, on the subject of Butterfield & Co.'s contract for carrying the overland mail.

It was contended on one side that the selection of the route was left to the contractors, but the Administration had violated law by compelling them to go nine hundred miles out of the way. Others argued that this attack was intended to break down the Southern branch of the overland route, and that parties were mutually agreed to the present arrangements for that purpose.

The Committee rose, and reported the bill to the House, which, without definite action thereon, adjourned.